

Framing, Indexing, and Blogs in the Alito Nomination Debate

Taylor Ansley
Davidson College
Davidson, NC 28036
[taansley@davidson.edu](mailto:taansley@ davidson . edu)

Patrick Sellers
Davidson College
Davidson, NC 28036
[pasellers@davidson.edu](mailto:pasellers@ davidson . edu)

April 6, 2007

Paper presented at the annual meeting of the Midwest Political Science Association, Chicago, Illinois, April 12-15, 2007.

Abstract: Using the Alito Supreme Court nomination as a case study, this paper examines the triangular relationship among politicians, traditional news media, and blogs. The various participants in the debate did not appear to rely on arguments with a particular type of content. Only Bush appeared to rely less on arguments about the past, and more on arguments about the future and personal qualifications. In addition, most of the arguments in the debate originated in the newspapers and the blogs, despite the fact that the elected officials made public statements about the debate from the day that Bush announced the nomination. While the blogs made the initial mentions of most of the arguments, many of those arguments failed to win traction in the subsequent debate. Instead, the arguments initially mentioned by the papers won more mentions in the debate. The blogs and papers actively framed the nomination debate, instead of merely indexing the arguments initiated and publicized by elected officials. The blogs and newspaper addressed a wide range of arguments, while the politicians focused on only a subset of those arguments.

As the Supreme Court confirmation hearings for Samuel Alito raged on, the Republican National Committee convened exclusive meetings for a “handful” of individuals highlighted by addresses from “a stream of senators and top officials, including White House advisor Karl Rove” (Glover 2006). Their audience was not a group of major donors, policymakers, or even political correspondents for newspapers or news networks; the meetings sought to coalesce and anchor support from bloggers—authors of online “blogs” —for President Bush’s nominee (Glover 2006). This meeting was only one example of the growing influence of online political journalism, a trend that began less than a decade ago.

Blogs represent a potentially dramatic change in how the public receives political information, how politicians attempt to shape coverage of their issue positions, and how traditional media outlets choose stories and present information. Is the emergence of internet blogs truly a ‘revolution’ in political communications and journalism? Will the rise of blogs affect how journalists report the news and how politicians present their message? What impact do blogs have on the information we, the people, receive?

Using the Alito nomination as a case study, this paper examines the triangular relationship among politicians, traditional news media, and blogs. We first discuss how politicians and journalists interact when producing news coverage, and how on-line journalism may alter that interaction. The second section of the paper outlines the evidence that we collect from the nomination debate, and our expectations about patterns in that evidence. The third section presents the results of our analysis.

Journalists and Politicians

We tend to think of journalism as “our modern cartography,” in that “[i]t creates a map for citizens to navigate society” (Kovach and Rosenstiel 2001, 164). What stories journalists cover, and how the “facts” of an issue are presented, can have a tremendous impact on the public perception of political debates. If information gleaned from media outlets truly guides our perceptions and understanding of events and issues, we should scrutinize and examine the factors that go into the information we read, hear, and watch. The responsibility we place in journalists “to provide citizens with the information they need to be free and self-governing” assumes journalism is largely committed to facts and objectivity above partisan emphasis on particular issues (Kovach and Rosenstiel 2001, 17).

One path to this objective coverage follows indexing, where journalists rely on official sources for what stories are covered and accept of input beyond official sources only “when those voices express opinions already emerging in official circles” (Bennett 1990, 106). Indexing is rational: newsmakers inherently select policymakers and powerful interests in reporting political news because those sources have the most influence on the issue at hand. In addition to offering a way to define and justify coverage as objective, indexing also helps journalists provide coverage while facing increasingly severe constraints on resources and time. The rising importance of financial profit in news organizations forces reporters to cover individuals and events as efficiently as possible. Reliance on official, authoritative sources helps journalists spend less time and energy obtaining material for news stories.

Reporters must also deal with constraints on the amount of coverage. There is simply not enough room on the front page of the newspaper or thirty minutes of the network news to cover every event and debate happening in a given moment. The limits of time, space, and attention span of the audience produce a necessary selection process for news stories that impact in large

part the public discourse of the electorate. As Christopher Harper writes, “the media emphasize specific events, ideas, and social values . . . provid[ing] the issues about which one should think. The media also frame stories in certain ways that affect the way individual readers or listeners may interpret the news” (2003, 271). With news selection so important to public discourse, pure objectivity seems impossible; therefore, the question remains: how do politicians or other actors influence the selection of issues covered by journalists, and the way those issues are covered?

Indexing and the need to select issues create the opportunity for politicians to encourage coverage of issues they care about and to discourage coverage of other issues. The “emphasis on a subset of politically relevant considerations” making up an issue “causes individuals to focus on these considerations when constructing their opinions” (Druckman 2001). Politicians promote considerations favoring their side in political debates, in hopes that these considerations reach a broader audience via the media and thereby sway public opinion. Cognitive linguist George Lakoff describes the politicians as constructing “mental structures that shape the way we see the world” (2004, xv). The political actors seek to focus the terms of debate or public attention on an issue within a given “mental structure” that favorably represents one side’s view. Politicians’ “press maneuvers seek[] to influence the outcome of a decision by changing the information on which it is predicated,” defining the terms of debate by issue manipulation. If journalists simply index the politicians’ arguments, the resulting coverage reflects the issues emphasized by the politicians. One analysis of press coverage during the Clinton presidency, for example, concludes that statements by politicians on health care reform impacted the media’s coverage of issues (Jacobs and Shapiro 2000).

Herbert Gans wrote of the journalist-source relationship: “although it takes two to tango . . . more often than not, sources do the leading” (qtd. in Cook 1989, 30). Journalistic routines and reliance on official sources (specifically politicians) help political actors to influence media coverage. In a 1959 book still relevant today, Journalist Douglass Cater, wrote of reporters in Washington:

“[Their] business . . . has become specialized, compartmentalized, channelized, even routinized to a degree that would shock [journalists of the past] . . . News production for the hungry American public has become an instantaneous, continuous, many-faceted and layered operation” (1959, 2-3).

Sigal supports the argument that routinized journalism creates potential pratfalls in the reporter-politician relationship:

“Reporters pay a price for access: they become dependent on their official sources. Dependence combines three elements: some reluctance to offend news sources in the stories they write, considerable willingness to print whatever their sources tell them, and little or no insistence that officials take responsibility for the information they pass along” (1973, 54).

The dependency is actually a co-dependency, affecting politicians as well. Reporters depend on politicians for access, while politicians depend on reporters to increase their visibility and prospects for reelection.¹ “While many members [of congress] desire news coverage, few actually receive it. The national press corps must decide which of 535 legislators to use as sources for congressional stories” (Sellers 1993, 3). Official sources may overwhelmingly drive news coverage; however, that tendency creates even further competition amongst potential sources.

¹ Richard Fenno has written extensively on the habits of politicians, notably Homestyle: House Members in Their Districts, Addison-Wesley Educational Publishers, Inc: 1978.

Most people expect framing from politicians—it is, after all, a very effective and persuasive debating technique—but not from journalists. Yet, such interpretation forms the basis of arguments about how the news media interpret and “frame” politicians’ arguments and statements. Lakoff writes: “it is the *special duty* of reporters to study [manipulation] and to learn to see through politically motivated frames, even if they have come to be accepted as everyday and commonplace” (2004, 51). Do politicians hold the upper hand in crafting news coverage, as the indexing arguments suggest, or do journalists’ interpretation of speeches and events hinder politicians’ efforts to plant favorable messages in the media, as the framing arguments suggest? Examinations of this question have reached diverse conclusions (Althaus 2003). This paper considers that question, as well as how blogs may influence the balance between politicians and journalists in shaping news coverage.

The Digital Revolution

Scholars have long affirmed the role of “new technologies, from radio and television to sophisticated telecommunications,” in “expand[ing] the ability of politicians to circulate political messages widely and visibly” (Jacobs and Shapiro 2000, 45). The newest of these technologies is the internet. The internet’s role in politics is already significant and continues to grow. A Pew study that found that in the 2000 election, “Fifty percent of Internet users under the age of thirty said the Net had affected their vote, a finding that suggests a generational shift in political culture” (Jenkins and Thorburn 2003, 2). Other statistics further emphasize this point: 31 million Americans--23% of internet users--read at least a single blog regularly, and the number of blogs more than doubles every five months (Bowers and Stoller 2005). How does the changing media landscape affect journalists, politicians, and their interaction?

New media such as blogs may collaborate with traditional media sources, thus reinforcing patterns of indexing or framing. Alternatively, the blogs might produce a competing agenda of stories. The indexing “hypothesis is an attempt to explain the behavior of ‘leading’ press organizations,” while “news outlets in the sway of ideological missions or local tastes would deviate from this norm” of indexing (Bennett 1990, 106). Blogs, largely partisan and attracting niche groups of readers, fit the mold of the smaller news organizations Bennett describes—detached from beltway journalism both physically (bloggers publish from across the country and globe) and in how blogs operate. This detachment suggests that blogs might not be as susceptible to indexing. On the other hand, internet media sources may routinely engage in what we will term “secondary indexing”: bloggers without close relationships to official sources or major outlets promoting those sources’ messages by citing “‘leading’ press organizations” (Bennett 1990, 106).

In considering how politicians might set the agenda of new media, we must understand how blogs differ from traditional media. Jenkins and Thorburn argue that the internet “operates according to principles fundamentally different from those of [traditional] media: access, participation, reciprocity, and many-to-many rather than one-to-many communication” (2003, 2). Access is important in that blogs are free to read to anyone with an internet connection, unlike a subscription-based newspaper or cable news. Participation defines internet journalism, placing an emphasis on direct and immediate reader action in the form of comments, discussion forums, and online communities. Reciprocity and many-to-many communication are linked. Blog readers are drawn to the ability to participate and hear a variety of viewpoints, while blogs benefit (in terms of advertising revenue) from pleased readers who return regularly. While journalism is “a

political institution,” (Cook 1998, 3) we believe that blogs operate in a manner that eschews convention, presenting new challenges for politicians hoping to spread their messages as widely as possible.

“[O]nline journalism stands to alter dramatically the traditional role of the reporter and editor” and thereby impact traditional media routines and systems (Harper 2003, 272). Perhaps the most innovative and illuminating study on this subject examines readers’ reactions to the same news story presented in traditional, newspaper format and in hypertext—an internet format that allows the reader to craft their own narrative from information presented (Huesca and Dervin 2003). The authors of this study found that the interactive, personalized online format appealed strongly to readers, observing:

“The repeated comments regarding reader agency and qualities of hypertext as a guide or outline suggest that readers want a dynamic mode of communication that allows them to move through information in ways they find helpful, useful, or otherwise valuable” (Huesca and Dervin 2003, 302).

We argue that these qualities of internet journalism represent a changing paradigm in media influence on public opinion and responsiveness to official actors. By enabling citizens to seek more control over the narrative of information they receive, the internet could enable the public to reject politicians’ or journalists’ efforts to shape news coverage. A typical blog post (if such exists) might link to a congressional report directly as opposed to a politician’s statement on the same report. Blogs create the opportunity for readers to craft their own narrative of issues. As a result, the blogs may limit politicians’ spin and journalists’ interpretation of events and statements. We hope to shed light on this potential by examining the complex relationship among politicians, conventional news media, and blogs during the public debate over President George W. Bush’s nomination of Samuel Alito to the Supreme Court.

Methodology and Expectations

This study focuses on three distinct areas of political communication: politicians’ statements, major newspapers’ stories, and blog posts. To capture arguments presented by politicians, major media actors, and bloggers, we collected a variety of data. We captured politicians’ statements in two ways: transcripts of public statements by President Bush or his press spokesmen related to the Alito nomination², and floor statements by senators between the day President Bush announced the nomination and the day the Senate voted to confirm the nominee.³ All stories from the *Washington Post* and *Washington Times* mentioning Alito during the same time period form our dataset for major media outlets. We chose these papers due to their ideological counter-balance and extensive coverage of the Alito nomination.⁴

From the politicians’ statements, *Washington Post* stories, and *Washington Times* stories, we identified (coding the text by hand) a series of 174 arguments presented both for and against the confirmation of then-Judge Alito. Using these arguments, we created a text recognition program (in Stata 9.0) to search through the full text of the presidential statements, floor

² Transcripts came from CQ Transcriptions on Lexis Nexis.

³ President Bush announced Alito’s nomination on October 31, 2005. The Senate voted to confirm Alito on January 31, 2006. Floor speeches came directly from the congressional record, wherever “Alito” was mentioned, during the relevant time period.

⁴ For a more detailed explanation of this selection see Patrick J. Sellers, “Manipulating the Message in the U.S. Congress,” *Harvard International Journal of Press Politics*, 1999.

speeches, and news stories and to capture mentions of each argument. The program identified both the first mention of each argument in each source and the total number of mentions of each argument.

Data collection from blogs presented a number of challenges, some decidedly insurmountable for this paper. With literally tens of millions⁵ of blogs in the wide-ranging “blogosphere,” it was both impractical and, with our resources, impossible to incorporate every blog post in the same way we were able to incorporate all floor statements or stories from the *Washington Post* and *Washington Times*. Fortunately, tools exist to search (using Boolean logic) for all blog posts mentioning a given set of phrases. These tools allowed us to capture the date of the first mention and number of total mentions of a given argument (found in our coding of the Senate transcripts and newspapers) in the blogosphere. However, searching for those arguments generated by journalists and politicians represented only two thirds of the puzzle: we needed a way to capture arguments generated by the blogosphere that might not have appeared in the congressional record or newspapers.

While the *Congressional Record* and newspaper stories totaled well over 1,000 pages of text, that volume of information paled in comparison to the over 70,000 unique blog posts mentioning Alito between October 30, 2005 and February 2, 2006. Attempting to capture the relevant, unique arguments of the blogosphere in a pragmatic way, we looked to four blogs—two on the left and two on the right—that represented the most-linked political blogs on Technorati’s Top 100 list.⁶ These blogs (‘Daily Kos’ and ‘Crooks and Liars’ on the left; ‘Michelle Malkin’ and ‘Instapundit’ on the right⁷), while unable to capture every unique argument in the blogosphere for or against Alito’s confirmation, do clearly represent highly trafficked, influential sites. Using the “Googlearchy” idea pioneered by Hindman, Tsioutsoulis, and Johnson, we determined that these “few [blogs] at the top” have a remarkably clear correlation with the information and arguments presented by authors across the political blogosphere (2003, 32).⁸ Drezner makes the apt analogy that smaller blogs “function as ‘fire alarms’ for focal point blogs, providing new information and links” (2004, 13). By coding arguments presented by four “focal point blogs,” we argue that we have covered the majority of arguments presented across the blogosphere.

Using Google Blogsearch⁹, we specified each of the four focus point blogs individually and searched for simply “Alito” between October 30, 2005 (one day before President Bush announced his nomination) and February 2, 2006 (two days after the Senate voted to confirm Alito’s nomination). Reading through the resulting posts, we created a new list of arguments

⁵ At the time of publication, BlogPulse (<http://www.blogpulse.com>) identifies well over 28 million blogs.

⁶ The Top 100 list represents the blogs with the most unique links in the past 6 months. The list can be found at <http://www.technorati.com/pop/blogs/> and is constantly updated. The blogs used here were the top 2 conservative and liberal political blogs in late March, 2006. While the list changes frequently, Daily Kos, Crooks and Liars, Instapundit, and Michelle Malkin are all consistently in the top 10 political blogs. This is simply one of many ways to measure blog traffic and popularity. For a discussion of different measures see Laura McKenna and Antoinette Pole, “Do Blogs Matter? Weblogs in American Politics.” Presented at the American Political Science Association, 2004.

⁷ Daily Kos: <http://www.dailykos.com>; Crooks and Liars: <http://www.crooksandliars.com>; Michelle Malkin: <http://www.michellemalkin.com>; Instapundit: <http://www.instapundit.com>.

⁸ The authors present compelling evidence explaining information aggregation and indexing online in: “Googlearchy: How a Few Heavily-Linked Sites Dominate Politics on the Web,” 2003.

⁹ While still in its beta testing stage, Google Blogsearch’s advanced search proved very reliable for our purposes. Google indexes every blog that publishes an RSS or Atom feed, going back as far as June 2005. The advanced search can be found here: http://blogsearch.google.com/blogsearch/advanced_blog_search.

made for and against Alito's confirmation on those blogs. We then combined our list of arguments from the presidential statements, the *Congressional Record* and newspapers with the blog arguments, eliminating duplicate arguments and merging several extremely similar arguments together. Using the same techniques as described previously, we updated our text-recognition program to reflect the new messages (to identify blog messages in the congressional record and newspaper stories), and used Boolean search terms to find the initial mention and total mentions of each message in the entire blogosphere (beyond simply the four focal point blogs).¹⁰

After eliminating several arguments that proved impossible to capture on an even remotely accurate basis using Google Blogsearch, our final dataset included 174 unique arguments. With this evidence, we developed three sets of hypotheses about the interaction among the various participants in the debate over Alito's nomination.

Content

The first set involves the content of the arguments. The arguments contained four types of content: past events (59%), future events (9%), personal qualifications (30%), and policy concerns (49%). It is important to note that some arguments may fit more than one category. Discussions of earlier Supreme Court decisions involve both past events and policy concerns.

Arguments involving past by definition must contain information about specific events that have already occurred, such as Alito's own decisions in lower courts. These arguments are thus likely to be more grounded in fact and details. Statements about the future, in contrast, are speculative, presenting predictions about what would happen if Alito joined the Supreme Court. We expect the sources to vary in their use of these types of arguments. The news outlets and particularly the blogs faced few constraints on the extent of their discussion of the Alito nomination. As a result, they could more easily present the details of past events and may therefore have tended to mention this type of argument more often. Elected officials, on the other hand, faced definite constraints on the extent to which they could discuss the nomination. The officials have numerous daily responsibilities, which limits the amount of time that they can spend discussing Alito in the Rose Garden or on the floor of the Senate.

On the other hand, speculative arguments about the future require fewer details and can be more concise. When discussing the Alito nomination, elected officials may have been more inclined to use this type of argument. The blogs and news outlets may have made fewer arguments about Alito's future on the Supreme Court. These sources enjoyed greater freedom to present the details of arguments involving the past, and the sources may also have preferred the details of past events to speculation about the future.

A similar logic may have guided the sources' usage of arguments involving personal qualifications and policy. Arguments about Alito's personal qualifications varied from his lengthy experience in the legal field to his involvement in the organization Concerned Alumni for Princeton. Discussions of these personal qualifications can be relatively concise, particularly compared to the lengthy details often required to discuss Alito's court decisions about

¹⁰ It is important to note that, while the text-recognition program was extremely accurate and allowed for refined searches, Google Blogsearch necessitated more broad search terms and the results were therefore less accurate. While spot-checks revealed that (for most arguments) fewer than 1 in 100 results was inaccurate, it was impossible to check through every single post mentioning each argument, resulting in a small degree of error in the blog mention measurement.

immigration or privacy. Given these differences, we expect the blogs and news outlets to mention more frequently the policy-based arguments. We also expect the elected officials to discuss more frequently the arguments involving personal qualifications.

Introduction of Arguments

A second set of expectations concerns the origination of the arguments: do arguments first mentioned in certain sources become more prominent in the nomination debate? Our expectations about this question emerge from the debate over indexing and framing. If theories of indexing more accurately characterize the debate, news outlets will largely cover the arguments initiated by politicians. The outlets themselves will initiate relatively few arguments, and these few arguments will receive little attention from politicians or journalists. An opposite pattern will occur if theories of framing are more accurate. Here, the arguments initiated by the news outlets will receive more attention from all sources in the debate.

Unlike traditional news outlets, blogs allow readers to contribute comments to published material, and those comments appear on the blog. Despite this more open process of producing content, the competing theories of indexing and framing may also apply to blogs. Their content may largely follow the arguments initiated by politicians. Or, the blogs may on their own introduce new arguments into the nomination debate.

It is important to note that all six sources were able to initiate arguments during the entire period of debate. To open the debate, Bush nominated Alito in a public appearance and statement on October 31. On the same day, members of Congress responded to the nomination with floor speeches, as captured by the *Congressional Record*. The news outlets and blogs produced stories throughout the debate. Thus, each source could have introduced any new argument from the start of the debate. The committee hearings on the nomination would not meet this criterion, since these hearings began only in January. Thus, we excluded the committee hearings from our analysis.

Interaction Among Sources

Our final set of expectations concern the extent to which the sources tended to discuss the same issues in the debate. Several possible scenarios may capture this aspect of the debate. The most obvious is one in which all six sources focused on the same subset of arguments, to the exclusion of other arguments. Here, one would expect a high level of correlation among the sources' mentions of the arguments. All the sources would have many mentions of some arguments, and few or no mentions of the remaining arguments.

An alternative scenario is more partisan, with supporters and opponents of Alito attempting to focus the nomination debate on issues favoring their respective position. The supporters may have devoted extensive mentions and stories to arguments such as Alito's highest possible rating from the American Bar Association. Opponents may have emphasized arguments such as Alito's ties to the conservative Federalist Society. By this logic, each side would ignore the arguments of the other side. This partisan scenario would produce positive correlations among sources whose ideological leanings suggest support for Alito, specifically Bush, congressional Republicans, and the *Washington Times*. Similar positive correlations might occur among congressional Democrats and the *Washington Post*. Few positive correlations would exist between these two partisan groups.

A final possible scenario concerns the types of sources and their role in the nomination process. The blogs and news outlets may have provided extensive and wide-ranging discussion of the various arguments in the debate, due to these sources' greater potential for lengthy stories about the nomination. Elected officials, on the other hand, may have focused on a narrower set of arguments, due to their more limited time and space for discussion. As a result, each group of sources may have positive correlations across their mentions of the issues, while few such correlations might exist between the two groups.

Rhetoric and Coverage in the Nomination Debate

To examine these various expectations, we estimated six regression models, one for each possible source of stories or comments about the Alito nomination: blogs, the *Washington Post*, the *Washington Times*, Democrats in the *Congressional Record*, Republicans in the *Congressional Record*, and Bush. Each model contained the same number of cases, the 174 distinct arguments from the nomination debate. For each model, the dependent variable was the number of mentions (in the source) of each argument over the entire period of the nomination debate. Each dependent variable is a count (with a lower bound of 0). Tests revealed evidence of overdispersion, so we used negative binomial regression to estimate each model.

The independent variables in each model corresponded to the three sets of expectations outlined above. We captured the content of the arguments with four dummy variables: whether an argument referred to past events, whether it referred to future events, whether it concerned personal qualities, and whether it involved policy. Six additional independent variables (also dummies) captured whether each of the six sources initially mentioned an argument. Notably, some arguments received their first mention in multiple outlets on the same day. So, some arguments have a "1" in more than one of these "initial mention" variables.

The final set of independent variables capture the extent to which other outlets discuss an argument. For each model and source, we included five independent variables: the number of mentions of an argument in the other five sources. Thus, in the model explaining how frequently blogs mentioned the arguments, we included independent variables for the number of mentions in the other five sources (the *Washington Post*, the *Washington Times*, Democrats in the *Congressional Record*, Republicans in the *Congressional Record*, and Bush).

Table 1 presents the estimated coefficients for all six models.¹¹ These results provide little support for our first set of expectations about the content of the arguments. The coefficients for the content variables were largely insignificant across the six models. The only exception was the model of Bush's mentions of the arguments. Here, he appeared to devote less attention to arguments involving past events (-1.11, $p < .05$), and more attention to arguments about the future (1.77, $p < .05$) and personal qualifications (1.15, $p < .10$). These patterns fit the expectations outlined above. With the greatest constraints on his time and speaking, Bush emphasized speculative arguments about the future over more detailed and complicated ones about the past. For similar reasons, he also made more mentions of arguments involving personal qualifications. In contrast, members of Congress did not follow these patterns. The legislators can conceivably make floor speeches for as long as they wish, particularly in the Senate. Members of the Senate may have considered the nomination so important that they chose to devote extensive time and resources to its discussion. If so, the legislators may have been able to address lengthier, more detailed arguments in addition to the shorter, simpler ones.

¹¹ In a future version of this paper, we plan to calculate and interpret predicted values of these models.

(Table 1 about here)

The second set of independent variables produced more significant results. Of the six sources, arguments initially mentioned in the *Washington Post* appeared to attract the most number of mentions from the sources. If the *Post* initially mentioned an argument, four of the six sources produced significantly more mentions of that argument (compared to an argument not initially mentioned in the *Post*). Arguments initially mentioned in the *Washington Times* attracted significantly more mentions by Bush but fewer mentions in the *Post* and from congressional Republicans (compared to arguments not mentioned initially in the *Times*). Finally, Bush made more mentions of arguments that he brought up initially.

The combination of these results provides more evidence of framing than indexing. Arguments that politicians initially mention do not receive significantly more coverage in the news media and the blogs. So, the latter sources do not appear to be limiting their coverage of the debate to arguments initiated by the politicians. Instead, the two newspapers and the blogs appear to have more actively framed the nomination debate. These three outlets initiated many of arguments in the debate. As Table 2 indicates, 75% of the arguments received initial mention in the blogs. The *Post* and the *Times* initially mentioned 17% and 10% of the arguments, respectively. Elected officials made the initial mention of arguments much less frequently. In addition, the arguments first mentioned by the papers attracted more mentions from five of the six sources. The papers thus initiated discussion of arguments that more effectively shaped subsequent debate. The blogs brought up many more issues initially, but it appears that many of those issues failed to win much subsequent attention. Overall, the blogs set the broadest agenda of the nomination debate, while the two papers initiated discussion of many issues that proved central and prominent in the nomination debate. In this respect, the news outlets helped frame the debate more than they indexed the arguments of elected officials.

(Table 2 about here)

The final set of independent variables captured the extent to which the six sources tended to discuss the same arguments in the debate. The results in Table 1 indicate considerable diversity in the arguments that the sources discussed. Of the 30 regression coefficients capturing the correlations among the sources' mentions, only 10 coefficients are significant. Each insignificant coefficient represents a lack of a significant correlation between two sources' mentions across the arguments. If all the sources were focusing on the same set of arguments while ignoring others, one would expect many more significant correlations among the sources. The six sources thus appear to be mentioning different issues.

The differences in mentions do not appear to result from partisan attempts to shape the agenda of the nomination debate. Of the 6 coefficients comparing mentions by the *Washington Times*, congressional Republicans, and Bush, only 2 were significant. Neither coefficient comparing congressional Democrats and the *Washington Post* was significant. On each side of the ideological divide in the debate, the sources do not appear to be emphasizing the same arguments.

The main difference in mentioning arguments appears between the elected officials and the sources outside government writing about those officials (i.e., the newspapers and the blogs). Among the 6 coefficients comparing mentions by Bush and congressional Democrats and Republicans, 4 were significant. At the same time, the papers and the blogs produced significant coefficients in 5 of 6 comparisons. This division of coefficients suggests that the elected officials were focusing their public statements on one set of arguments, and the papers and blogs were discussing a different set.

One possible interpretation of these patterns is that each group of sources was focusing on completely different arguments. In other words, each group's arguments were not overlapping. This pattern would suggest a divide between the nomination debate inside and outside the government; journalists and bloggers were writing about arguments very different from those used by politicians. An alternative interpretation of the patterns is that the two groups of arguments overlapped. The papers and blogs could have been discussing a broad set of issues, while the elected officials focused their public comments on a subset of those issues. Such differences in mentions would provide further evidence of framing. The newspapers and blogs drew attention to an extremely wide set of issues, and the politicians drew many of their comments from that broader set of issues.

To distinguish between these competing interpretations, we first determined whether each of the six sources made any mention of each argument. We then categorized all the arguments along two dimensions: whether the newspapers and blogs had made any mention of any argument, and whether the elected officials had made any mention of the argument. Table 3 presents the results of that classification.

(Table 3 about here)

Only seven arguments received no mention by elected officials or the newspapers and blogs.¹² Nearly three quarters (74%) of the arguments fell into the category of being mentioned in the news coverage or blogs but not by the politicians. Only one argument won mention by the politicians but not by the newspapers or blogs. Finally, 21% of the arguments received mention in both groups of sources. These patterns support the interpretation of overlapping mentions. The blogs and newspapers helped determine most of the arguments that emerged in the Alito debate (see Table 2). In turn, elected officials focused their public deliberation on a subset of the arguments. In this manner, the papers and blogs set the broader agenda of the debate, while elected officials narrowed that agenda for their own discussions.

Conclusion

The analysis in this paper has revealed a number of insights about the debate over Alito's nomination to the Supreme Court. First, the various participants in the debate did not appear to rely on arguments with a particular type of content. Arguments about the past or future, or about personal qualifications or policy, did not attract more mentions from most of the sources. Only Bush appeared to rely less on arguments about the past, and more on arguments about the future and personal qualifications. This tendency may reflect the constraints on his time and speaking, which were arguably greater than those faced by the other five sources.

Second, most of the arguments in the debate originated in the newspapers and the blogs, despite the fact that the elected officials made public statements about the debate from the day that Bush announced the nomination. While the blogs made the initial mentions of most of the arguments, many of those arguments failed to win traction in the subsequent debate. Instead, the arguments initially mentioned by the papers won more mentions in the debate. This difference appears to reflect a structural difference between the sources. Possessing nearly limitless space to publicize arguments, the blogs can propose a wide variety of arguments in hopes that a subset of them will prove effective and enter subsequent debate. Newspapers face greater space constraints and must be more selective in choosing arguments to publicize. This greater

¹² These arguments originated in the committee hearings on the Alito nomination. We searched the hearing transcripts for possible arguments but did not include the hearings' mentions of arguments in our analysis.

selectivity means that the arguments which enter news coverage are also more likely to become part of subsequent debate. Most broadly, these patterns suggest that the blogs and papers are more actively framing the nomination debate, instead of merely indexing the arguments initiated and publicized by elected officials.

Further evidence of framing emerges from the final set of results, in which elected officials appear to discuss a different set of issues than the blogs and newspaper do. The latter sources appear to address a wide range of issues, while the politicians mention only a subset of those issues. The debate outside government appears to frame the agenda of discussions inside government.

In future work, we plan to clarify and extend these results in several ways. Most importantly, we hope to improve the process of defining the arguments making up the units of our analysis. As noted above, we defined these arguments by reviewing politicians' statements, newspaper articles, and blog entries about the Alito nomination. As a result, the definition of arguments is based on our own subjective judgment. This subjectivity is certainly not fatal for our analysis: once we defined the 174 arguments, we searched for mentions of them in the same way for all six sources. So, any bias in the definition of an individual argument applies across all our measures. Accordingly, that bias does not distort any causal inferences derived from those measures (King, Keohane, and Verba 1994). Nonetheless, we hope to find a more objective method for defining the various arguments in the Alito debate. Such a method might also help us extend our analysis to the nomination debates involving John Roberts and Harriet Miers.

In addition, we hope to analyze in greater detail the interaction of the sources over the course of the debate. This analysis will allow us to assess the framing/indexing debate in further detail, as we can examine whether news coverage of a particular argument precedes or follows politicians' discussion of that argument. Vector auto-regression can help separate out how mentions of an argument in one source influence mentions in the other sources.

Ultimately, the Alito nomination is only one of many debates taking place among elected officials, news outlets, and the blogosphere. But, our analysis of that nomination debate helps unpack and explain the interaction among these various participants in the debate. Our findings can thus help explain the dynamics of framing, indexing, and agenda setting in many of these broader debates.

Appendix. Arguments about the Alito Nomination

Alito would vote to overturn Roe v. Wade
Alito would allow race-based discrimination and discrimination based on disability
Alito opposes the Family and Medical Leave Act (Chittister)
Alito wanted to allow the strip search of a ten year old girl in Doe v. Groody
Right wing activists were angered by the Miers nomination; Alito is the answer to their outrage
Calls for an "up or down vote" on judicial nominations are no longer valid since Miers did not receive a vote on the floor
Thomas lied in hearings as to how he would eventually rule; Alito will do the same
Polls show that Americans don't want the Senate to confirm justices who would vote to overturn Roe
Alito represents "extraordinary circumstances" under the compromise of the gang of 14; filibuster should be considered appropriate
Alito's dissent in Casey
Alito wrote in a 1985 job application to become deputy assistant to the US attorney general: "The constitution does not protect a right to an abortion"
Alito belonged to a group called Concerned Alumni of Princeton
Alito defended wiretapping under the Nixon administration
Alito lied about membership in CAP in a 1990 questionnaire (when he was nominated for the court of appeals)
In the 2002 Vanguard case, Alito ruled on a case involving the company that handles his mutual fund investments
CAP was too extreme for Bill Frist, who criticized the group in 1975
Alito claims he doesn't remember being a member of CAP, but he proudly mentioned it in a job application
In a 1984 Justice Department memo, Alito said a police shooting of an unarmed teenager fleeing from a \$10 robbery was "reasonable"; the case was Tennessee v. Garner
Only an extremist would vote to overturn Roe v. Wade
Alito shows a marked lack of respect for workers' rights
Alito supports dangerous degrees of executive power; shares Scalia's view of executive power
Horrific conditions for women seeking abortions in South Dakota and Mississippi could become national conditions if Alito has his way
Close ties between Alito and the Federalist Society demonstrate how he would vote
United States v. Rybar (machine gun case) represents troubling case in Alito's record
In a 1986 memo, Alito proposed that presidents should issue "interpretative signing statements" when signing legislation into law
Alito would grant lawmaking power to the president
It is important to keep in mind that Alito would be replacing Sandra Day O'Connor; Alito and O'Connor disagree on many very important issues like presidential power and abortion
Picking Alito was giving in to the religious right; Jerry Falwell: "the president is keeping his word" by picking justices like Scalia and Thomas
"Alito acknowledged in 2001 that he is a strong proponent of the theory of the 'unitary executive'"
Alito "twists precedent to fit his predetermined preferred results;" Alito is a "results oriented

conservative ideologue"
Sen. Lindsay Graham's work preparing Alito for the hearings could violate Senate ethics guidelines
The National Association of Women Lawyers (NAWL) called Alito "not qualified" for the Supreme Court
Alito believes in a view of the president as king
Alito was a strong supporter of Robert Bork in 1988; Bork was judged too radical for the Supreme Court in '88
Many environmental groups and experts protest Alito's interpretation of the commerce clause--> U.S. v. Rybar; Clean Air Act
Alito's nomination lessens the diversity on the supreme court (would be 1 woman, 8 men)
Attacks on Alito are anti-Italian American and anti-Catholic
Bush should stress Alito's credentials, especially after Miers
Even liberal litigators appreciate Alito for being fair and smart and very similar to John Roberts
Alito has not been an outspoken conservative; his jurisprudence is methodical and fair
Dems shouldn't obstruct the Alito nomination because a Democratic president will eventually have his/her own supreme court nominees
Many critics misinterpret or misread the FMLA case because it's a complex area of law
Alito is guaranteed confirmation
Constitutional [nuclear] option on the table if any member of the gang of 14 claims "extraordinary circumstances"
Alito received the highest possible rating from the American Bar Association
Zubi v. AT & T Corp (2000)
Goosby v. Johnson & Johnson Medical, Inc. (2000)
Smith v. Davis (2001)
Sheridan v. DuPont (1996)
Alito's fifteen year record on the appeals court speaks for itself
Alito is possibly the most qualified and experienced nominee ever for the supreme court
Alito nomination represents united Republicans and divided Democrats
Alito is far more moderate than Ruth Bader-Ginsburg, who worked for the ACLU
Nobody made a fuss when Ginsburg was tapped to replace Byron White, even though their views on aspects of the abortion debate differed
Democrats lost the 2004 election and therefore lost the right to choose supreme court nominees
Baker v. Monroe Township (unlawful search)
The role of the Senate in the confirmation process is to ensure competence and assure qualified nominees, consistent with Federalist 78
Alito's service in the Reagan justice department is not simply a lawyer advocating for a client--he was hired to fight for policies he personally agreed with strongly
Alito is "consummate professional"
Republicans filibustered Democratic nominee Abe Fortas
Alito nomination "needlessly provocative"
Bush had opportunity to unite the country behind a consensus nominee; chooses to "divide, not unite"
Alito has more judicial experience than any nominee in the past 70 years

bray v. marriott hotels--> civil rights
Nathanson v. medical college of pennsylvania --> disability rights
riley v taylor --> racial discrimination
Alito's critics impose an "unfair political standard" on judicial nominees
O'Connor, Kennedy, and Souter all spoke against abortion rights before joining SCOTUS; all now support roe
Elizabeth Blackwell Medical Center for Women v. Knoll -->Alito supports abortion rights
attorney fred gray testifies against alito
professor goodwin liu testifies against alito
U.S. v Kithcart -->4th amendment
Brinson v. vaughn --> racial discrimination
Reynolds v. USX Corporation --> worker rights
Thomas v Commissioner of Social Security --> rights of disabled
Shapiro v Township of Lakewood--> this through Cort, ruling in favor of the 'little guy'
Fiscus v Wal-Mart Stores, Inc
Mondzelweski v Pathmark Stores Inc
Shore Regional High School Board of Education v. P.S.
Pennsylvania Protection & Advocacy, Inc v Houstoun
Fatin v INS
Alexander v University of Pittsburgh Medical Center System
Cort v. Director
Sen Reid is lobbying Democratic caucus to make the Alito vote a party-line vote
Democrats refused to pack the court under FDR, even when they had overwhelming control of the senate
Alito sought to justify absolute immunity for Nixon Attorney General John Mitchell
Senate cannot be a "rubberstamp" for the president
Mellott v Heemer -->police power
dissents are the important pieces of a nominee's record to examine
O'Connor was the deciding vote in 148 of 193 5-4 decisions in the last 10 years
Alito joined CAP because of how ROTC was treated at Princeton
"elections have consequences"
Pirolli v. World Flavors, Inc --> Alito unable to rule on merits due to incomplete brief
pemberthy v. beyer --> racial discrimination
jenkins v. manning --> voting rights
1986 memo to William Webster --> immigrant rights
Alito dissented in just 79 of more than 5,000 cases--> below average for appeal court judges
Dia v. Ashcroft
Public Interest Research Group of New Jersey v. Magnesium Elektron
ACLU-NJ v. Schundler
ACLU-NJ v. BlackHorse Pike Regional Board of Education
Federalist Paper No. 47
Child Evangelism Fellowship of New Jersey v. Stafford Township School District
RNS Services v. Secretary of Labor --> mine safety
Ramseur v. Beyer --> jury selection
Chang v. INS --> immigration

INS v. St. Cyr --> immigration
Grant v. Shalala
Local 28 of the Sheet Metal Workers; International Association v. EEOC
International Association of Firefighters, AFL-CIO v. City of Cleveland
Leveto v. Lapina
12 SCOTUS nominees have been rejected by the Senate because of "legal views and philosophies"
Planned Parenthood v. Farmer
Blackwell v. Knoll
Alito is a victim of "the politics of personal destruction"
Federalist No. 66
professor michael gerhardt testifies against Alito
Caruso v. Blockbuster-Sony Music Entertainment Center at the Waterfront
collins v. sload
Pope v. AT&T
Alito argued 12 cases before SCOTUS; evidence of an accomplished, intelligent lawyer
Alito's father was an immigrant
Alito, unlike current SCOTUS justices, would not look to foreign law in deciding cases
Alito "shows little empathy for the plight of ordinary Americans"
Alito is a "movement conservative"
Alito was confirmed unanimously by the Senate before
U.S. v. Lee --> surveillance
Republican presidents have made 15 of the past 17 SCOTUS nominations
Ted Kennedy belonged to a "discriminatory college fraternal organization," thus has no right to criticize Alito for CAP--> Owl Club
Pat Leahy doesn't care about personal privacy when politics are involved-->"leaky leahy"
Kerry called for a filibuster from Davos Switzerland
Democrats failed to focus Alito debate on limits on President's war powers
citizen H. Gerard Heimbecker filed a complaint against Alito
alito will "overturn decades of progress"
clerk Kate Pringle supports Alito
lawyer Jack White supports Alito
professor nora demleitner supports Alito
former colleague Edna Axelrod supports Alito
lawyer John Payton supports Alito
judge Edward Becker supports Alito
judge anthony scirica
judge maryanne trump barry
judge tim lewis
judge ruggero aldisert
judge leonard garth
judge john gibbons
judge leon higgerbotham
"one of the most accomplished and respected judges in America"
"long career in public service"

"extraordinary breadth of experience"
Alito has "mastery of the law"
"scholarly, fair minded, and principled"
Education: Public school, Princeton (Phi Beta Kappa), Yale Law School, editor of Yale Law Journal
Career: clerk for appeals court judge, served in Army reserves, federal prosecutor, legal counsel, us attorney for New Jersey, 3rd circuit court of appeals
as US attorney for NJ "aggressively" targeted "white collar and environmental crimes" "drug trafficking and organized crime" and "violation[s] of civil rights"
reputation for being "tough and fair"
participated in thousands of appeals and authored hundreds of opinions
"considers the legal merits carefully and applies the law in a principled fashion"
understands the "proper role of judges"
Senate should hold up-or-down vote on nomination before the end of the year
"distinguished record of service"
"29 years" of service "as a public servant"
"judicial philosophy" "based on strictly interpreting our laws"
Alito "will not legislate from the bench"
"well versed in constitutional law"
"very public record" to be examined
should be a "civil and dignified process"
"widely respected by democrats and republicans alike"
"brilliant mind"
"highest integrity"
"He has a record of looking to Supreme Court precedent"
are Senators going to "change the standard" for Alito versus Breyer and Ginsburg
Alito is better choice than Miers because of the "culture of today's confirmation process"-- qualifications are important
"eminently qualified"
there have been a lot of "dishonest attacks and misrepresentations" "from groups that are outside the mainstream"
answering cmtte questions in "open and straightforward manner"
Alito's philosophy: "no one is above the law and no one is beneath the law"
outside groups trying to "inject partisan politics into the judiciary"
"grace" "composure" "personal humility" in hearings
39 former clerks--even democrats--support Alito
Dem Gov Ed Rendell supports Alito

Works Cited

- Althaus, Scott. 2003. "When News Norms Collide, Follow the Lead: New Evidence for Press Independence." *Political Communication* 20: 381-414.
- Bennett, W. Lance. "Toward a Theory of Press-State Relations in the United States." Journal of Communication: June 1990.
- Bowers, Chris and Matthew Stoller. "Emergence of the Progressive Blogosphere: A New Force in American Politics." New Politics Institute: 10 August 2005. <
http://www.newpolitics.net/node/87?full_report=1>.
- Cater, Douglass. The Fourth Branch of Government. Boston: Houghton Mifflin, 1959.
- Cook, Timothy E. Governing with the News : The News Media as a Political Institution. Chicago: University of Chicago Press, 1998.
- Drezner, Daniel W., and Henry Farrell. "The Power and Politics of Blogs." Annual Conference of the American Political Science Association. Chicago, IL, September 2004.
- Druckman, James N. "The Implications of Framing Effects for Citizen Competence." Political Behavior 23.3, Special Issue: Citizen Competence Revisited (2001): 225-56.
- Druckman, James N. "On the Limits of Framing Effects: Who can Frame?" Journal of Politics 63.4 (2001): 1041-66.
- Gauntlett, David, and Ross Horsley. Web.Studies. 2nd ed. London; New York: Arnold; Distributed in the United States of America by Oxford University Press, 2004.
- Gimpel, James G., and Robin M. Wolpert. "Opinion-Holding and Public Attitudes Toward Controversial Supreme Court Nominees." Political Research Quarterly 49.1 (1996)
- Glover, K. Daniel. "New Media - the Rise of Blogs." National Journal January 21 2006: 30,31,32,33,34,35.
- Harper, Christopher. "Journalism in a Digital Age." In: Democracy and New Media. Ed.: Henry Jenkins and David Thorburn. Cambridge, MA: MIT Press, 2003.
- Hindman, Matthew, Kostas Tsioutsoulis and Judy A. Johnson. "'Googlearchy': How a Few Heavily-Linked Sites Dominate Politics on the Web." Annual Meeting of the Midwest Political Science Association. Chicago, IL, July 28, 2003.
- Huesca, Robert and Brenda Dervin. "Hypertext Journalism: Audiences Respond to Competing News Narratives." In: Democracy and New Media. Ed.: Henry Jenkins and David Thorburn. Cambridge, MA: MIT Press, 2003.

- Jacobs, Lawrence R., and Robert Y. Shapiro. Politicians Don't Pander. Chicago: The University of Chicago Press, 2000.
- Jenkins, Henry, David Thorburn, and Brad Seawell. Democracy and New Media. Cambridge, Mass.: MIT Press, 2003.
- Kaid, Lynda Lee. Handbook of Political Communication Research. Mahwah, N.J.: Lawrence Erlbaum Associates, 2004.
- King, Gary, Robert Keohane, and Sidney Verba. 1994. Designing Social Inquiry. Princeton: Princeton University Press.
- Kovach, Bill, and Tom Rosenstiel. the Elements of Journalism. New York: Three Rivers Press, 2001.
- McKenna, Laura, and Antoinette Pole. "Do Blogs Matter? Weblogs in American Politics." Annual Meeting of the American Political Science Association. Chicago, IL, September 2004.
- Prior, Markus. "Liberated Viewers, Polarized Voters--the Implications of Increased Media Choice for Democratic Politics." The Good Society 11.3 (2003): 10-6.
- Sellers, Patrick J. "Manipulating the Message in the U.S. Congress." Harvard International Journal of Press Politics (1999)
- Sigal, Leon V. Reporters and Officials: The Organization and Politics of Newsmaking. Lexington, Mass.: D. C. Heath, 1973.

Table 1. Influences on Mentions of Arguments, By Source
(Standard Error)

	Blogs	<i>Washington Post</i>	<i>Washington Times</i>	Democrats in <i>Congressional Record</i>	Republicans in <i>Congressional Record</i>	President Bush
Content of argument						
Past	-.41 (.25)	-.23 (.28)	-.21 (.27)	2.12 (2.15)	1.02 (1.64)	-1.11** (.48)
Future	1.06* (.57)	-.12 (.44)	.50 (.41)	-18.00 (6495.73)	-.58 (1.12)	1.77** (.72)
Personal qualifications	-.31 (.35)	-.44 (.38)	-.22 (.36)	-.26 (1.81)	2.46 (2.35)	1.15* (.60)
Policy	-.004 (.35)	-.39 (.31)	.42 (.30)	-.51 (1.52)	2.84 (2.19)	-.35 (.67)
Initial mention of argument						
Blogs	.83 (.54)	-.36 (.36)	.39 (.34)	-1.18 (1.81)	-.28 (1.81)	1.06 (.66)
<i>Washington Post</i>	1.55** (.54)	1.15*** (.37)	.76** (.36)	-2.36 (2.53)	2.44* (1.28)	-1.46 (.94)
<i>Washington Times</i>	.43 (.55)	-1.07** (.48)	.37 (.43)	2.58 (1.81)	-3.99* (2.17)	3.57*** (.99)
Democrats in <i>Congressional Record</i>	.22 (.52)	.39 (.53)	-.71 (.53)	-18.53 (12,939.04)	1.55 (2.24)	-.02 (1.18)
Republicans in <i>Congressional Record</i>	.23 (.65)	.09 (.53)	.52 (.50)	1.14 (2.01)	-310.44 (1797.82)	.52 (.61)
President Bush	.18 (.43)	.12 (.44)	.17 (.38)	-1.10 (2.23)	-3.21 (3.25)	3.40*** (.48)
Mentions in other sources						
Blogs		.0008* (.0004)	.0008** (.0004)	-.0008 (.001)	.004*** (.001)	-.001 (.001)
<i>Washington Post</i>	-.009 (.02)		.05*** (.01)	.09 (.06)	-.006 (.07)	-.04 (.06)
<i>Washington Times</i>	.12** (.04)	.12*** (.03)		-.08 (.10)	-.005 (.09)	.003 (.13)
Democrats in <i>Congressional Record</i>	-.10 (.67)	.18 (.37)	.17 (.35)		-4.96 (3.95)	1.69** (.66)
Republicans in <i>Congressional Record</i>	.64 (.39)	.007 (.37)	-.14 (.34)	.13 (1.46)		2.00** (.92)
President Bush	-.009 (.008)	.005 (.006)	.005 (.006)	.013* (.007)	1.22* (.73)	
Constant	3.42*** (.61)	.41 (.42)	-.46 (.40)	-3.99* (2.07)	-8.95** (3.11)	-3.31*** (.84)
LR χ^2	100.73***	119.33***	104.31***	27.28**	34.19***	122.69***
Pseudo R ²	.05	.16	.14	.39	.46	.35
α	2.10*** (.20)	1.49*** (.30)	1.29*** (.26)	.000001 (.0002)	.000002 (.0003)	.94*** (.38)

* p<.10, ** p<.05, *** p<.01
N=174

Table 2. Initial Mentions of Arguments,
By Source

Source	Percentage of Arguments Initially Mentioned by Source
Blogs	75%
<i>Washington Post</i>	17%
<i>Washington Times</i>	10%
Republicans in <i>Congressional Record</i>	7%
Democrats in <i>Congressional Record</i>	7%
Bush	13%

Note: The percentages sum to more than 100% because multiple outlets sometimes provided the first mention of an argument on the same day.

Table 3. Mentions of Arguments
By Elected Officials and By Newspapers or Blogs

		Did Elected Officials Mention Argument?	
		Yes	No
Did Newspapers or Blogs Mention Argument?	Yes	7 (4%)	1 (1%)
	No	129 (74%)	37 (21%)

Note: Each cell represents the number and percentage of all arguments falling into a particular category of mentions.