Framing the Shield:

A Comparative Content Analysis of Newspaper and Weblog Reporting on Attempts to Pass A Media Shield Law

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ABSTRACT:

This paper compares the coverage of a discrete series of news events—congressional attempts to pass a federal shield law for journalists—in the blogosphere to coverage of the same events in the more traditional print press. The analytical time frame is identical for both data sets. The paper seeks to answer a basic question: did bloggers and mainstream newspapers frame the debate around the shield law differently. If so, how?

Surprisingly, bloggers were more likely to frame their coverage of the congressional debate in terms of daily political and legislative developments than the mainstream press. They were also more likely to raise questions about who would be covered by the proposed shield – in other words, who counted as a journalist-- and the fairness of that proposed coverage. Traditional print publications, on the other hand, were more likely to focus on the recent history of jailing journalists and to retell heroic "war stories" from journalism's golden days.

KEYWORDS:

citizen journalism, framing, jurisdiction, professions, regulation, shield law, weblogs

Introduction

The study of *media framing*—the processes by which journalists and news institutions select and highlight particular facets of events or issues, making connections among them so as to promote particular interpretations or evaluations (Entman 2004: 5) -- lies at the core of modern communications research. Although the concept of framing (along with its cousins, agenda-setting and priming) was first formally articulated by the critical news theorists of the late 1970's (Anderson 2008: 250), its intellectual origins go back to the work of Walter Lippmann. In *Public Opinion*, rightly called the foundational text of communications research , Lippmann notes that "all the reporters in the world working all the hours of the day could not witness all the happenings in the world." (Lippmann 1922: 214) Consequently, the press most resembles "the beam of a searchlight that moves restlessly about, bringing one episode and then another out of darkness into vision" (229). The information contained in the daily press is inevitably selective, Lippmann argues; moreover, that selectivity is as attributable to news routines and journalistic processes as it is to purposeful political biases.

Shifting metaphors from spotlights to frames, Gitlin's influential study of press coverage of the New Left in the 1960's defined media frames as "principles of selection, emphasis, and presentation composed of tacit little theories about what exists, what happens, and what matters" (Gitlin 1981: 6). Since Gitlin, social scientists have largely replaced speculation about media bias with the analysis of media frames (Schudson 2003: 35), generating a vast body of research (Goffman 1974; Tuchman 1978; Gamson and Modigliani 1987; Graber 1988; Entman 1993; Entman and Rojecki 1993; Bennett and

Paletz 1994; Page 1996; Reese et. al 2001; Norris et. al 2003). Included in this research have been studies *comparing* the different media frames, with the axis of comparison being either cross-national (Hallin and Mancini 1984; Esser 1999; Waisbord 2000; Benson 2002; Feree et. al. 2002; Donsbach and Patterson 2004) or between so-called "mainstream" and “alternative" media sources (Benson 2003; Rohlinger 2007). These comparative frame studies are particularly useful insofar as they provide, by extension, insight into the cultures, ideologies, and institutional routines of structurally distinct news organizations. Different framing patterns, in other words, may be the result of differences in the organizations that produce them.

Despite this lengthy tradition of empirical research on media framing, and despite the recent rise of the unique journalistic genre variously known as blogging, online journalism, networked journalism, community journalism, or citizens’ journalism, surprisingly few studies compare weblogs and the traditional media with regard to their framing of specific issues and / or discrete events. Many of the studies that compare on and offline news practices focus more on journalistic epistemology or professional practice (Anderson and Schudson 2008; Lowrey 2006; Matheson 2004; Deuze 2005, Singer 2005). Other research compares the content within a specific time frame (Singer 2003) rather than the material surrounding around a particular issue or event. The few more direct framing comparisons that do exist also have their limitations. Wall (2005) conducts a genre analysis of so-called “warblog” coverage during the opening days of the Iraq War in 2003 and determines that bloggers are, indeed, engaged in different constructions of news. However, her analysis is more concerned with differences in journalistic genre than it is with media framing. Anderson’s (2007) discussion of UK,

Spanish, and Portuguese press coverage of the *Prestige* oil spill includes online websites but does not disaggregate that coverage, or compare it to the oil spill coverage of the mainstream press. Bickett and Wall (2007) analyze coverage of the so-called Downing Street Memo in the American press and note that, while the contents of the onetime secret memo received little attention in the American press, "the issue was being given heavy play by alternative online news sites" (217). Their discussion of these alternative sites, however, is cursory. Thelwall (2006) analyzes large amounts of online data in order to map blogosphere reactions to the 2005 London subway attacks. Nevertheless, he himself admits that his method—a sophisticated comparison of compares blog keyword data to media timelines—might obscure legitimate framing differences between the two media forms:

> the "word differences" identified between blogs and [mainstream media] timelines do not really provide a strong indication that blog discussions differ significantly from media reporting because some differences are statistically inevitable in any word frequency analysis … The fault is probably with the level of analysis used here. A qualitative approach might have been more informative for this issue, for example a content analysis of a selection of London postings may have revealed a tendency for more partisan discussion of the events, as seemed to have been the case for high profile blogs discussing the Iraq war. Alternatively, a quantitative comparison with a large collection of contemporary news stories may have given scope for statistical conclusions to be drawn about the difference between blogs and contemporary media coverage (Thelwall 2006: 8).

In short, few studies directly analyze manner in which "the blogosphere" frames political events and compares those framings to those of the more traditional media. Why might this be? Perhaps such differences in framing are assumed to be obvious and thus unworthy of serious research attention. There may be empirical difficulties in gathering a

roughly comparable sample (for more on this, see the Methodology section, below.) Finally, the deeper theoretical purchase of such a study, even if it gathers empirically interesting results, may be unclear.

I hope to address each of these concerns in the pages that follow. This paper compares the coverage of a series of news event—congressional attempts to pass a federal shield law for journalists—in the blogosphere to coverage of the same events in the more traditional print press. The analytical time frame is identical for both data sets. The paper seeks to answer a basic question: did bloggers and mainstream newspapers frame the debate over the shield law differently. If so, how?

Background

The notion that certain occupational exchanges of information must be shielded from evidentiary legal obligation if the occupational relationship itself is to function is not a new concept under common law. In the words of legal scholar Geoffrey Stone:

> For the most part, the rules of evidence exclude "unreliable" information from the consideration of the trier of fact. Privileges, however, are an exception. Privileges generally exclude reliable information in order to further a competing social policy. The effect of evidentiary privileges may thus be to increase the likelihood of erroneous fact-finding in criminal or civil proceedings. Because this is a high price to pay, the social policy furthered by a privilege must be quite weighty to justify the cost to the truth-finding function of the legal process (Stone, 2002: 1)

In other words, the law has long recognized that certain informational exchanges can and should remain confidential. Not surprisingly, the most universally recognized professional confidentiality of this sort is attorney-client privilege, but different degrees

of marital privilege, clerical-penitent privilege, physician-patient privilege, and psychologist-patient privilege have been accepted as well. In comparison with these older forms of communicative confidentiality the notion that there is a "reporters privilege" is less grounded in history and legal precedent. In *Branzburg v Hayes* (1972), the only major Supreme Court case to address the issue, the Court in fact concluded that no such privilege existed by virtue of the First Amendment's protection of "freedom of speech, and the press," although it added that such protection could be enacted by statute. The rush by many states (but not the federal government) to pass these statutory laws, along with he notorious sloppiness of the Court's *Branzburg* decision (West 2006) created an uncertain situation for journalists and their "confidential" sources. Would journalists be forced to reveal their anonymous sources if subpoenaed to do so?This uncertainty has been exacerbated in the last decade by a spate of high profile legal developments and adverse court rulings (Giuffo 2005).

Between 2003 and 2008, a number of subpoenas of directed at prominent reporters increased the public's awareness that there was no federal law shielding journalists from having to divulge their confidential sources during legal proceedings. Foremost among these recent cases was the "Valerie Plame" affair, a tangled series of events in which New York Times reporter Judith Miller was jailed for 85 days for contempt of court after refusing to name her sources to a Grand Jury investigating the deliberate leak of the identity of a covert CIA operative. Similar cases-- including the jailing of independent videographer Josh Wolf, media lawsuits launched by Wen Ho Lee and Steven Hatfill, and the BALCO steroid investigation-- led many U.S. media companies and journalistic organizations to conclude, in the words of Society For

Professional Journalists (SPJ) President Irwin Gratz that "a federal shield law has become essential now that prosecutors appear less constrained about hauling journalists before courts and grand juries" (Society of Professional Journalists, 2005: 1).The business of journalism, it was argued—fundamentally, the honest exchange of publicly relevant and sometimes secret information-- would become impossible if reporters sources constantly lived in fear of their identities being revealed during the grand jury process.

There have been other, previous attempts to secure Federal legislation granting reporters a limited shield; in the aftermath of the affair case, however, media companies and sympathetic government officials moved with unusually aggressive speed to turn the Judith Miller jailing into rallying cry for a reporter's shield. A number of editorials in major newspapers, particularly the New York Times, called for the passage of a shield law. In February 2005, H.R. 581 ("The Free Flow of Information Act") was introduced in the House of Representatives, and a similarly titled bill followed in the Senate a few days later. Between 2005 and 2007 at least five variations of the bill were debated in Congress until the latest version, H.R. 2102, was passed in October 2007 by a House vote of 391-21. At the time of this writing, the full Senate had yet to consider its own version of the shield bill.

Other important developments in the American media sphere between 2003 and 2008, moreover, rendered the over a federal shield law less than straightforward. Foremost amongst these developments was the rise of what has become known as "participatory journalism" – "the act of a citizen, or group of citizens, playing an active role in the process of collecting, reporting, analyzing and disseminating news and information." (Bowman and Willis 2003: 10). The Congressional debate over whether or

not to enact a federal shield law for journalists thus marks an important moment in the larger struggle between those amateur, semi-professional, and professional journalists over journalistic jurisdiction. Fundamentally, legislators must define “journalist” “journalism” and “reporter” in order to enact legislation shielding these occupations and work processes. And while the primary disputants in the “blogs vs. journalism” controversy have, up until this point, primarily been bloggers and journalists themselves, the entry of the U.S. Congress into the fray may signal a turning point in the history of blogger-journalist relations. After all, it was the reluctance of the Supreme Court in 1972 to engage in such definitional activity that persuaded the majority of the justices to resist calls for a privilege based on the First Amendment[1]. The legislative debate about whether to enact a Federal “Shield Law” for journalists may be looked back upon as one of the seminal moments of the new Internet age.

While a limited number of academic studies have examined how blogs and mainstream journalists report the news differently, this paper builds on the existing literature by grounding the debate on the proposed shield law from within the sociology of the professions. It is less concerned with the legal nuances of congressional action than it is with the way that legal and political rhetoric is used as a weapon in the battle between two contending occupational groups. Debate over the shield law is more than simply an academic exercise for both bloggers and professional journalists – its passage, and the manner by which that passage is secured, has a direct bearing on the professional authority and autonomy of journalists of all stripes. This paper, then, marks a further step in increasing our understanding of the deprofessionalization— or perhaps reprofessionalization—of journalism in an era of “participatory media.”

Methodology

The data for this paper is based around a content analysis of 98 articles, coded at the paragraph level and resulting in the total analysis of 877 paragraphs. The data was collected between 2 May 2007 (the day Reps. Mike Pence [R-Ind.] and Rick Boucher [D-Va.] introduced The Free Flow of Information Act of 2007 (H.R. 2102) in the U.S. House, and 29 October 2007 (two weeks after the final version of H.R 2102 passed the House.) For comparative framing purposes, the data is subdivided into two categories—blog posts and articles in the mainstream press. A standard Lexis-Nexis search was conducted to find the relevant articles in the mainstream print press, using the search terms "House" or "Senate" and "Shield Law," resulting in a total of 49 articles and 317 paragraphs. The Google Blog search engine was used to find the relevant blog posts, resulting in a total of 491 articles. Because there were so many more blogs posts than print articles, the most relevant 10% of the blog posts, as selected by the Google Blog algorithm[2], were then selected for analysis, giving us a total of 412 paragraphs.[3]

Coding categories were initially determined by through a qualitative analysis of legislative debate over the bill itself. The goal was to determine, as accurately as possible, the frames legislators and politicians *themselves* were using to discuss the shield law. To this end, coders examined the text of H.R. 2102, the complete transcript of House Judiciary Committee hearings on the bill held on June 14 2007, the final 16 October 2007 floor debate on the bill, and the "Statement of Administration Policy" prepared by the Executive Office of the President, also released on October 16. In this manner, a number of relevant frames were determined.

Perhaps not surprisingly, the crux of the debate over the wisdom of a journalist shield law was the question of what impact the bill would have on national security. Indeed, on 16 October, President George W. Bush threatened to veto the bill on these very grounds. "The bill would provide a broad privilege to a large class of 'covered persons' that could severely frustrate—and in some cases completely eviscerate—the Federal government's ability to investigate acts of terrorism," the Statement of Administration policy noted (Office of Management and Budget, 2007).

This debate was echoed earlier in hearings on the bill conducted by the House Judiciary Committee. "I would like to point out a few of the [Justice] Department's most significant concerns about this particular legislation," testified Assistant Attorney General Rachel Brand. "First, we believe the bill will make it virtually impossible to investigate and prosecute the many leaks of classified national security to the press" (U.S. House, 2008).

Supporters of the bill, on the other hand, disputed these suggestions. "The bill has been revised not once, but twice," argued sponsor Mike Pence (R-Ind.), "creat[ing] an exception to allow for compelled disclosure of a source that is necessary to prevent imminent or actual harm to national security" (U.S. House, 2008). Given the context of the current "war on terrorism," there is little doubt that the "national security frame" was dominant during the debate over the shield bill, along with discussions about additional types of sensitive information such as medical information and trade secrets.

Another exhaustively argued topic during House Committee debates was the question of whether law-enforcement harassment of journalists was actually on the rise. Opponents of the bill generally claimed that there had been, historically, few subpoenas

of journalists and that such incidents were not on the rise, while the bill's proponents argued the opposite. Former *New York Times* columnist William Safire, in particular, testified eloquently as to the growing "chill" felt by many reporters in the aftermath of the Valerie Plame case (U.S. House 2008).

Finally, and most importantly for our purposes, there was much disagreement and debate about the scope of the bill's definition of who was a journalist-- or, in legislative language, who counted as a "covered person." The following exchange during committee hearings captures the basic issue:

> **Rep. Jackson Lee [D-TX]:** Mr. Safire, if I might ask you, because we are now in a technological atmosphere, and so would you consider the journalism definition to cover bloggers and Internet messaging and others who proliferate by the second?
> **Safire.** I would always resist the Government saying, "This is what a journalist is." And the only thing I liked about Justice Byron White's decision was the reference to ''the lonely pamphleteer,'' who has to be covered, as well as the great newspapers.
> I think that the definition you have here is a good one, because it goes to: Who is this aimed at? What do you do as a journalist? What you do as a journalist is gather information for the public.
> …
> **Rep. Jackson Lee**: Ms. Brand, could you find comfort in the exemptions that are here and see any reason why the first amendment should not be upheld for the protection of the press, which has been a sacred right of this country?
> **Brand:** Well, with respect to the definition of journalism, I think I understand why the drafters of the bill made it so broad. Presumably you want to avoid the first amendment problem that you would have if you tried to define who the press was, because like Mr. Safire said, it ranges from the lonely pamphleteer to the New York Times.
> But the problem then, and this is something that the Supreme Court recognized in *Branzburg,* when they talked about the difficulties of drawing lines about who is a journalist, because the definition must be so broad to capture all legitimate journalists, is that it captures almost everybody else too (U.S. House 2008).

It is important to note that, possibly as a result of these debates, the definition of "covered person" narrowed considerably over the course of the legislative process. The original H.R. 2102 introduced in committee defined covered person as "a person engaged in journalism and includes a supervisor, employer, parent, subsidiary, or affiliate of such covered person." The final version of the bill defined covered person as "a person who regularly gathers, prepares, collects, photographs, records, writes, edits, reports, or publishes news or information that concerns local, national, or international events or other matters of public interest for dissemination to the public *for a substantial portion of the person's livelihood or for substantial financial gain*" (emphasis added) and specifically excluded "designated terrorists" or "agents of a foreign power" from coverage.

These and other articulated frames led to the focus on the following coding categories:

[insert table 1 here]

Due to their importance in this particular study, categories 2 and 3 are further subdivided. Category 2, in particular, attempts to capture nuance of the debate surrounding who counted as a journalist under the proposed legislation. An article could argue that the definition of journalist was very broad ("this bill counts bloggers as journalists,") and that this was a net positive; alternatively, it could argue the reverse. On the other hand, an article could claim that the definition of covered person was narrow

("this bill only considers bloggers who make a living off blogging as journalists,") and again, express a positive or negative opinion about this fact.

` Given this background and these coding categories, the hypotheses advanced this paper are relatively straightforward:

H1: The mainstream press is more likely to frame articles around the question of "national security" than the blogosphere.

H2: The mainstream press is more likely to frame articles around issues of political or legislative calculations than the blogosphere.

H3: The blogosphere is more likely to frame coverage of the shield legislation around the question of "who is a journalist" than the mainstream press.

H4 The blogosphere is more likely to express positive feelings about a wide definition of journalist and negative feelings about a narrow definition than the mainstream press.

Results

[Table 2 Goes Here]

[Table 3 Goes Here]

[Table 4 Goes Here]

[Table 5 Goes Here]

Both weblogs and traditional print journalism publications primarily framed their coverage of the shield law debate around political developments and legislative calculations. That this would be the case for both media types is slightly surprising; even more surprising, however, is the fact that weblogs devoted a greater percentage of their coverage to political developments than the traditional press. In fact, our second

hypothesis was proven *wrong*—not only did weblogs devote 7.5% more coverage to political developments than the traditional press, but this would be the single greatest difference in framing frequency across the two media types (29.6% versus 22.1%) ($p < .02$).

The three other hypotheses advanced in this paper were proven correct, but with varying degrees of statistical significance. "National security issues" were, indeed, a more common frame in the traditional print press than in weblogs (10.9% versus 13.9%). However, this difference was not significant in any meaningful way ($p < .25$). In terms of the frequency with which different frames were invoked in the different media, moreover, "national security issues" were the fourth most common weblog frame, compared to the fifth most common frame in traditional journalism. Other frames -- the history of jailing journalists (16.0%), the invocation of the public role of journalists (15.4%), and a discussion of the "covered person" category (14.8%)—were more commonly articulated by the traditional press.

The primary question being explored in this paper – were weblogs more likely to frame their coverage of the shield law controversy around the question of "who was a journalist" than the conventional media—was answered in the affirmative. Weblogs framed their coverage in these terms 20.4% of the time, as opposed to 14.8% of the time in the traditional print press, a statistically significant result ($p < .05$). Diving deeper into the details of "covered person category", data showed that weblogs framed a narrow journalistic definition as negative more often than newspapers (30.1 % versus 21.2%) and a wide definition as a positive (11.9% versus 6.4%); conversely, the print press more frequently saw a narrow definition as a positive (1.2% versus 14.9%) and a wide

definition as a negative (2.4% versus 8.5%). Primarily due to the very sample size, none of these results were statistically significant, though the wide percentage differences between the media are strongly indicative of a larger trend. Interestingly, the argument that a narrow definition of a covered person was a negative was, *numerically*, the most frequently invoked frame for *both* weblogs and the traditional press.

Finally, comparative coding uncovered several interesting insights that were not a part of the original hypothetical framework. As noted above, the second and third most common frames invoked by the traditional print press were a discussion of the history of jailing journalists (16.0%) and an invocation of the public role of journalists (15.4). That these frames would be second in frequency only to the relaying of actual news itself – i.e., the congressional maneuverings over the passage of the bill—point towards an expanded and more nuanced understanding of what might be understood by the notion of professional competition.

Discussion

As noted above, the deeper motivation behind this study was to uncover the manner in which traditional reporters and their blogging counterparts struggled over the *professional jurisdiction of journalism* (Abbott 1988) – i.e., the collection, analysis, and qualitative distribution of publicly relevant information[4]. Occupational rhetoric and narrative, as crystallized in the cultural products of journalists and bloggers, is one window into this jurisdictional competition; as Zelizer notes, "the ability of journalists to establish themselves as authoritative spokespersons … is predicated on their use of narrative in deliberate and strategic ways. Journalists' claims to legitimacy are no less

rhetorically based than their narrative reconstructions of the activities behind the news" (Zelizer 1992: 32).

Viewed in this light, differences in story framing can be seen as the articulation of different claims to cultural authority. Bloggers who emphasized the manner in which the Federal shield law excluded them from its protections would thus be advancing their particular group interests. The opposite would, of course, be true for professional journalists.

Comparative coding shows that this was indeed the case. Blogs framed their coverage around the question of who was a covered person 20.4% of the time; the traditional print press 14.8% of the time. The positive and negative spins on this question reinforce the hypothesis that bloggers and journalists were advancing their jurisdictional interests – overwhelmingly, bloggers framed a wide definition of journalism in positive terms and a narrow one negatively. However—and this is a complicating point—mainstream newspapers were far more divided than the blogs in their assessment of the scope of privilege. Compare this editorial from *Los Angeles Times*, which seems to reconcile itself to the passage of a narrowly tailored bill:

> The committee also is likely to revisit the bill's definition of a "covered person." As originally introduced, the bill would grant the privilege to "a person engaged in journalism." The House committee is expected to replace that broad definition -- which some critics saw as covering every teenager with a MySpace page -- with language limiting the privilege to those who practice journalism for "financial gain or livelihood." This page has endorsed the broader definition, but the "livelihood" qualification, if interpreted generously by judges, would still protect many bloggers, freelancers and college journalists along with the so-called mainstream media. That would be an improvement over the status quo (Los Angeles Times, 2007).

to this opinion piece by Tim Rutten, an *L.A. Times* columnist:

> More to the point, if the 1st Amendment and its attendant protections don't cover bloggers, then they've lost their intrinsic meaning. The fact of the matter is that many Internet bloggers -- opinionated, partisan, passionate and ill-mannered -- are exercising precisely the sort of speech that the Framers intended to protect: political speech. None of the men involved with the Constitution and its Bill of Rights could have envisioned anything like a modern newspaper or television network. In fact, given their notions of propriety and privacy, they probably would have found what we now regard as conventional journalism alarmingly distasteful. The bloggers, on the other hand, would have been entirely familiar types to the Framers: practitioners of pure political speech, which is what the 1st Amendment was written to protect (Rutten, 2007).

In other words, the *L.A. Times* was internally conflicted on this issue of "who counts as a journalist," and only three paragraphs out of the entire sampled blogosphere coverage displayed a similar level of ambiguity. Why might this be? It is likely that traditional journalism is more constrained by its inherited notions of objectivity and balance. Particularly within editorial pages, for instance– where major newspapers like the *New York Times* inveighed ceaselessly on behalf of the bill—there is a tradition of soliciting columns from writers who disagree with the opinions of the editorial board. These "cultural" aspects of mainstream media organizations must be taken into account when considering the use of rhetoric as a jurisdictional strategy-- it may be far easier for bloggers to verbalize their occupational interests than ordinary journalists.

There are several additional pieces of data that complete this more nuanced picture of jurisdictional competition. As previously noted, traditional print publications devoted a significant amount of space to recounting the history of jailed journalists (16.0%) and invoking their important role within the body politic (15.4%). This indicates that journalists may have found subtler, perhaps entirely unconscious ways of advancing

their jurisdictional claims. By endlessly retelling the stories of recently jailed and threatened journalists, along with narratives recapitulating the "greatest moments" in modern journalism history – moments that often depended on anonymous sources coming forward at great personal risk—the mainstream press reinforces the notion that they are a uniquely valuable profession under serious threat. Such reinforcement is not entirely zero-sum; one could imagine, for instance, that the invocation of threat could benefit both bloggers and mainstream journalists alike. Nevertheless, the narrative of threat combined with the retelling of heroic stories from journalism's professional past lends greater rhetorical weight to the mainstream media's argument that it, primarily, is in need of shield protection.

Finally, our most surprising finding – that weblogs were more likely to frame their stories around daily political and legislative developments than the traditional print press—should remind us of Abbott's dictum that jurisdictional battles are always played out during the work process itself. Journalists and blogger are not simply self-interested actors deploying rhetorical in order to advance their own interests. They are, quite often, just "doing their jobs," although realizing their own cultural practices and narrative self-conceptions while they do so. If bloggers wish to make the claim that they, like journalists, engage in the collection, analysis, and qualitative distribution of publicly relevant information, then there is no better way to do so than to simply report the important news of the day.

Conclusion

This study examined the manner in which bloggers and traditional journalists framed the debate over the passage of a federal reporters shield law. Bloggers, it turned out, were more likely to frame their coverage of the congressional debate in terms of daily political and legislative developments than the mainstream press. They were also more likely to raise questions about who would be covered by the proposed shield – who counted as a journalist-- and the fairness of that proposed coverage. Traditional print publications, on the other hand, were more likely to focus on the recent history of jailing journalists (Judith Miller, Mark Cooper, et. al.) and to retell heroic "war stories" from journalism's golden days.

These differences in framing, it was argued further, represent more than idiosyncratic differences between two media forms. Driven by jurisdictional competition, blogs are more likely to highlight the problems posed by any legislative attempt to define "who is a journalist" than the mainstream press. Traditional journalists, on the other hand, drew attention to the threat they were under and their long history of doing the public good in order to reinforce the notion that they were a uniquely valuable and uniquely threatened profession.

Finally, I believe this paper highlights both the possibilities and potential pitfalls of comparative frame analysis as a method for parsing out the relationship between journalism and the blogosphere. Obviously, cataloging differences in framing harkens back to studies ranging from Zelizer's analysis of TV journalists' coverage of the Kennedy assassination to Abbott's more sociological studies of professional systems. Nevertheless, methodological difficulties with this type of study remain. There is still no

generally accepted method through which to conduct content analysis of the blogosphere—no standard search engines like Lexis-Nexis, for instance. Moreover, this paper did not grapple with an additional question raised by blog coding-analysis: should all blog posts be treated equally? In other words, did the fact that blogger Markos Moulitsas personally weighed in on the "covered person" controversy on the front page of the DailyKos (one of the most powerful and popular weblogs) outweigh the fact that dozens of other blog posts on less popular blogs did not? There is, as of yet, no easily accepted methodological answer to this question. Studies of the communication, however, will need to confront these and similar questions in the years ahead.

Table 1: Coding Categories

Category	Code
Political / Legislative Calculations	1
The Definition of a Covered Person is Wide (and That is a Positive Thing)	21
The Definition of a Covered Person is Wide (and That is a Negative Thing)	22
The Definition of a Covered Person is Narrow (and That is a Positive Thing)	23
The Definition of a Covered Person is Narrow (and That is a Negative Thing)	24
Discussion of the Scope of the Covered Person Provision, but the expressed opinion unclear, or no opinion is offered.	25
Terrorism / National Security Concerns	31
General Law Enforcement / Non Terrorism Concerns	32
Discussion of other types of exceptions in the bill (personal, medical, trade information)	33
Invocation of the 1st Amendment	4
Text of the Bill (General Discussion)	5
Discussion of History of Jailing Journalists	6
Invocation of the Public Role of Journalists and the Importance of a Free Flow of Information.	7
General Claims of Press Irresponsibility	8

Table 2: Total Framing Breakdown

	Weblogs	**%**	**Print**	**%**		**Sig.**
Political / Legislative Calculations	122	29.6	70	22.1	**+7.5**	**
Discussion of Covered Person—Total	84	20.4	47	14.8	**+5.6**	*
Terrorism / National Security Concerns	45	10.9	44	13.9	**-3.0**	
General Law Enforcement / Non Terrorism Concerns	5	1.2	2	0.6	**-0.6**	
Discussion of other types of exceptions in the bill (personal, medical, trade information)	13	3.2	3	0.9	**-2.3**	
Invocation of the 1st Amendment	10	2.4	13	4.1	**-1.7**	
Text of the Bill (General Discussion)	25	6.1	19	6.0	**+0.1**	
Discussion of History of Jailing Journalists	37	9.0	51	16.0	**-7.0**	***
Invocation of the Public Role of Journalists and the Importance of a Free Flow of Information.	49	11.9	49	15.4	**-3.5**	
General Claims of Press Irresponsibility	22	5.3	19	6.0	**-1.4**	
TOTALS	412		317			

*** p < .005
** p < .02
* p <. 05

Table 2: Framing Breakdown (Covered Person Category)

The Definition of a Covered Person is Wide (and That is a Positive Thing)	10	11.9	3	6.4	**+5.5**	
The Definition of a Covered Person is Wide (and That is a Negative Thing)	2	2.4	4	8.5	**-6.1**	
The Definition of a Covered Person is Narrow (and That is a Positive Thing)	1	1.2	7	14.9	**-13.7**	
The Definition of a Covered Person is Narrow (and That is a Negative Thing)	26	31.0	10	21.3	**+9.7**	
Discussion of the Scope of the Covered Person Provision, but the expressed opinion unclear, or no opinion is offered.	45	53.6	23	48.9	**+4.7**	
TOTALS	84		47			

Table 3: Most Common Frames

Weblogs
1. Political or legislative calculations (29.6%)
2. Discussion of the “covered person” category (20.4%)
3. Invocation of the public role of journalists (11.9)
4. Terrorism / national security (10.9%)

Newspapers
1. Political or legislative calculations (22.1%)
2. Discussion of the history of jailing journalists (16.0%)
3. Invocation of the Public role of journalists (15.4)
4. Discussion of the “covered person” category (14.8%)

Table 4: Greatest Differences in Frame Frequency

1. Political or legislative calculations (+7.5) (**)
2. History of jailing journalists (-7.0) (***)
3. Discussion of the “covered person” category (+5.6) (*)
4. Invocation of the public role of journalists (-3.5) (N/A)

(+ greater in blog category)

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[1] In an article discussing the recent discovery of Justice Lewis Powell's notes on the *Branzburg* case*, New York Time*s reporter Adam Liptak notes that "In contrast to [Powell's] meandering concurrence, the few crisp sentences of notes were relatively clear. "We should not establish a constitutional privilege," Justice Powell said, referring to one based on the First Amendment. Such a privilege would create problems "difficult to foresee," among them "who are 'newsmen' — how to define?"

[2] There remains no commonly accepts way to do weblog content analysis, and there is no standard search engine though which to find this data. Other options might have been to use Technorati (http://www.technorati.com) or to choose a random 10% sample of the nearly 500 results of the weblog search rather than the top 10% most relevant.

[3] Due to the presence of what is known as "link-spam" in the blogosphere (site operators filling their Web pages with thousands of extraneous terms so search engines will list them among legitimate addresses) an additional content filtration operation was performed on the blogosphere sample. This filtration of spam removed 7 articles and replaced them with an additional random sample.

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