LIBERTY OR DEATH?

THE FRAMING OF HATE SPEECH

IN THE PRINTED PRESS

by

Stefanie Best

A thesis submitted to the Faculty of the University of Delaware in partial fulfillment of the requirements for the degree of Bachelor of Arts in Communication with Distinction.

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ABSTRACT

In spite of the journalistic ideals of objectivity, framing within the press influences public understanding of issues within the news. The influence of framing is apparent in media coverage of hate speech and the debate over hate speech regulation. Framing is the process by which public issues are set within linguistic boundaries, which determine how they will be discussed and thought about in the media and in the public. The United States and Canada have divergent legal approaches to the issue of hate speech, which was expected to be emulated in news media frames of hate speech. A content analysis method was developed in order to evaluate what framing is present within print news media of hate speech issues in the United States and Canada. The study found the freedom frame and regulation frame of hate speech in United States news coverage to have no significant difference in their prominence. The regulation frame was found to dominate Canadian news coverage of hate speech issues.
Chapter 1

INTRODUCTION

The controversy surrounding hate speech stems from its highly personal and emotive impact and the challenge its regulation would present to the fundamental American value of free speech. Contemporary news media provide a number of examples of the controversy over freedom of speech. In the summer of 2009, the Washington Post reported on the court case of Internet radio shock jock Hal Turner, who was “charged...with inciting injury” after making disparaging remarks about the actions of judges and legislators. Turner commented “These Judges deserve to be killed” in his online blog, and encouraged listeners to “take up arms' against two state legislators” (Slevin, Peter, “Blogger's Case Could Test the Limits of Political Speech,” August 16, 2009).

An April 15, 2010, article from the Associated Press addressed the problem of hate speech in online video games (Geranios, Nicholas, “Hate speech corrodes online games,” April 15, 2010). “Players trade racist, homophobic and anti-Semitic insults so frequently that game makers are taking steps to tone down the rhetoric” by encouraging players to reports other players who use hate speech and temporarily or even permanently banning abusive players' gaming privileges. Efforts to control hate speech have included the creation of a website to assist parents in being informed about their children's gaming...
experiences and the banning of profile information or usernames that reveal sexual
information or contain offensive material.

In early 2010, debate over national health-care reform resulted in verbal attacks on
Democrats in the United States House of Representatives by protestors of the reform bill.
“Rep. John Lewis (D-Ga.), a hero of the civil rights movement, was called a 'ni--er.' And
Rep. Barney Frank (D-Mass.) was called a 'faggot,’” reported the Huffington Post (Stein,
Sam, “Tea Party Protests: 'Ni**er, 'Fa**ot' Shouted at Members of Congress,” March 20,
2010). These slurs resulted in a wave of editorials and opinion pieces chastising the
protestors and condemning the speech. “No debate is advanced by hate speech,” read an
editorial in the Seattle Times (“Hate speech has no place in health-care debate,” March
22, 2010).

Three South Carolina men were sentenced to prison in early 2010 for a 2007
attack on a black man in a convenience store. Thomas Blue, Sr., the owner of the
convenience store, forced a black man out of the store and down to the ground while his
son, Thomas Blue, Jr., “threatened the victim with a chainsaw while a small crowd
watched,' according to the Department of Justice statement.” The acting U.S. attorney for
the District of South Carolina called the incident a “senseless, terrifying assault...the
product of hate” (Cooper, Aaron, “3 sentenced to prison for attack on black man in South
Carolina,” April 21, 2010). That same week also saw the beginning of jury deliberations
in a Long Island hate crime case, in which a 19 year old and six of his friends
“deliberately targeted Latinos for assault in 2008, in what they called ‘beaner hopping’”
(“Long Island hate-crime slaying case goes to jury,” April 19, 2010).

In early May 2010 a controversial immigration law was passed in Arizona, which critics claimed would legalize racial profiling. Following the passage of the law, a branch of the National Socialist Movement, a race-based organization claiming to fight for white civil rights, distributed fliers in Arizona declaring May 5th as ‘Report an Illegal Day.’ May 5th is commonly celebrated as Cinco de Mayo, a patriotic holiday for Mexicans and Mexican immigrants to the United States. Local members of the Latino community in Arizona reported fearing for the safety of their friends and family members (Sign, Christopher, “Group behind plan for ‘Report an Illegal Day’ speaks out,” May 4, 2010).

The atmosphere of antagonism and intimidation that often results from hate speech against targeted minorities can have significant immediate and long-term negative effects. From the virtual world of video games to the real world, critics of hate speech expression argue that the dangers of allowing hate speech outweigh any supposed benefits. Canadian scholar Richard Moon summarizes the “two general kinds of harm caused by hate speech” as the harm suffered by the targeted victims of hate speech, and the harm caused by the dissemination of hateful ideas into the general community (Moon, 2008). Hate crime statistics for 2008 indicate that almost half (48.8%) of all hate crimes targeted against people in the U.S. were crimes of intimidation, causing victims to fear injury or other harm. In 2008, law enforcement agencies across the U.S. “reported 7,783 hate crime incidents” (United States Department of Justice). By comparison, a profile of
hate crimes in Canada found that police reported 892 hate-motivated crimes in 2006, of which 52% were property-related offenses, while 37% of hate-motivated crimes were violent offenses and “17% were 'other' such as hate propaganda” (Dauvergne, Scrim, & Brennan, 2006).

Such crimes do not exist in a vacuum; often the media treatment of events can influence the public's perspective on the issues at hand. Media framing of issues “influence belief importance, which in turn influence opinion” (Nelson & Oxley, 1999). A small number of studies have identified and discussed the framing of hate speech in the press (Miller & Andsanger, 1997; Sniderman & Theriault, 2004). Determining what frame of the hate speech debate is most prominent in the printed press allows an understanding of those forces which shape public opinion on the issue of hate speech. It is possible that frames which implicitly either condone or condemn the freedom of hate speech may contribute to actual behavior, such as the acting out of hate crimes.

In a 1994 article, legal scholars Delgado and Yun cite Gordon W. Allport's 1954 study, “The Nature of Prejudice,” indicating that permission to express hateful ideas or to carry out hateful acts “increases...the chance that [an individual] will do so again in the future....others may believe it is permissible to follow suit.” Media framing of hate speech may contribute to a cultural atmosphere in which prejudicial ideas are accepted as commonplace and in which individuals are more likely to express such ideas through crimes of intimidation and violence.
Framing can influence the “legitimacy of political groups and the outcome of political debate” (Miller & Andsager, 1997) by influencing public opinion. Public opinion is expected to serve as an influential factor in policy-making in both the legislative and judicial branches of government (Lambe, 2004). The rule of law is expected to reflect the values of the majority of the public, largely measured as public opinion. In this way, legislation about hate speech and freedom of expression is influenced by the pressure of public opinion. In the United States, hate speech is protected under the First Amendment so long as it does not pose an immediate threat to public safety. In Canada, however, hate speech is regulated in an exception to the general rule of free expression.

The United States' approach to hate speech is narrow: the only illegal speech is that which directly incites imminent lawless action, such as violence either generalized through riot or directed against individuals (Lynd, 1975). The First Amendment of the United States Constitution has formed the basis for US speech laws by prescribing that “Congress shall make no law...prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press.” Landmark hate speech cases in the United States have tended to focus on alleviating the tension between the individual right to free speech and freedom from intimidation. In R.A.V v. City of St. Paul (1992), a city ordinance forbidding the placement of racist symbols on public property was struck down because it was not content-neutral, and thus limited unfairly the speech of only some citizens (Moon, 2008). In Virginia v. Black (2003), a law assuming cross-burning as automatic evidence for the intent to intimidate was struck down on the basis that such action could
also be used to “affirm 'a statement of ideology' or 'group solidarity’” (Moon, 2008), which are forms of constitutionally protected expression. That same case, however, specified that an act such as cross-burning could be banned if the intent behind the act could be proven to be the intent to intimidate. Similarly, personalized attacks on individuals in intimate encounters that cause the targeted person to retaliate “almost instinctively” are restricted under the fighting words doctrine, which was articulated in the landmark 1942 case Chaplinsky v. New Hampshire (Friedlieb, 2005). The fighting words doctrine was adopted to handle speech which typically incites an often violent reaction from the intended receiver. Such speech is considered to possess little merit in comparison to state's interest in keeping peace (Friedlieb, 2005). Landmark cases have demonstrated that the courts of the United States have focused predominantly on preserving free speech as much as possible, making only rare and narrow exceptions.

Authors Delgado and Yun suggest that resistance to hate speech regulation may lie in the generalized public opinion of the meaning of the First Amendment of the Constitution. The authors assert that hate speech:

scarcely advances self-government or the search for consensus. It does not promote the search for truth, nor help the speaker reach self-actualization....Racist speech thus does little to advance any of the theoretical rationales scholars and judges have advanced as reasons for protecting speech (Delgado & Yun, 888-889).

The First Amendment was designed to protect political speech and other speech contributing to discussion of relevant local and national issues for the sake of improving the strength and quality of American life. Delgado and Yun claim that hate speech fails to
contribute to such improvements, but is often tolerated because the First Amendment has been frequently equivocated among the public with protecting all speech regardless of its contribution to public debate.

Canadian courts have attempted to prevent harm to society caused by hate speech by requiring that such speech be shown to cause harm (Moon, 2008). Scholar Richard Moon discusses 2(B), the specific clause within the Canadian Charter of Rights and Freedoms which protects the freedom of expression, regardless of the content of such expression. The only exceptions to this clause are violent acts, regardless of the intended meaning of the act, and state laws which do not have as their goal the limitation of expression “but nevertheless have this effect.” Such laws can only be “found to violate section 2(B) only if the person attacking the law can show that the restricted expression advances the values that underlie freedom of expression.” (Moon, 2008).

In the important Canadian case Regina v. Keegstra (1990), the Canadian Supreme Court “upheld the Criminal Code ban on the wilful [sic] promotion of hatred” under section 319(2) of an identifiable group of people (Moon, 2008). James Keegstra, the defendant, challenged this ruling by arguing that the ban violated his right to freedom of expression under section 2(B). While it was agreed that section 319(2) did indeed restrict expression under section 2(B), this restriction was seen as legitimate in the interests of preventing the spread of hateful ideas into the community (Moon, 2008). In the majority opinion, it was noted that “the restriction applies only when an individual wilfully [sic] promotes hatred” (Moon, 2008, p. 88). Thus the law would be violated only in the event
of an individual attempting to malign identifiable groups of people. Moon explains the reasoning behind the verdict in *Keegstra*, but also discusses the implications of such a ruling. It is questionable whether hate speech will always cause greater hatred, as “expression...creates only a risk of harm” (Moon, 2008, p. 89). Canada's speech laws are more focused on the effect speech may have on the community, whereas speech laws of the United States are more focused on protecting the rights of the individual. These positions can become entrenched in the public psyche when expressed through a media phenomenon known as framing.
Chapter 2

LITERATURE REVIEW

The two positions toward hate speech described above, that hate speech is either an extension of free speech or a dangerous form of expression in need of regulation, comprise the two frames of hate speech present in contemporary media. Framing is the process by which some elements of a “perceived reality” are made more prominent in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation....Most frames are defined by what they omit as well as include, and the omissions of potential problem definitions, explanations, evaluations, and recommendations may be as critical as the inclusions in guiding the audience (Entman, 1993).

The framing of any issue or event presented in the media provides thematic understanding for the audience. Frames do not dictate a precise opinion on the issues. Frames allow for disagreement, but couch the debate within certain terms, thereby limiting the scope of any debate (Gamson & Modigliani, 1989). Framing does not define what an audience should think about any particular issue, but rather how the issue should be thought about by emphasizing certain elements of a story while downplaying others.

The Shaping of Meaning

Authors Pan and Kosicki (1993) differentiate between two different forms of framing, both of which provide a framework for understanding an issue discussed or
presented in communication messages. The psychological conception of framing indicates a structure for cognitively organizing data, creating scripts and schemas for understanding one’s perceived reality. A sociological conception of framing, which is the type discussed further herein, consists of a “central organizing idea or storyline that provides meaning” to issues and events portrayed in the media (Gamson & Modigliani, 1987). Media contribute to framing when journalists seek to define issues in a way that is easily understood by the audience (Gamson & Modigliani, 1989).

The mass media provide frames of reference that are used by the public to understand events which are given press coverage (Sheufele, 1999). News media framing can shape public opinion (Andsager, 2000) and influence how citizens discuss issues among themselves (Brewer & Gross, 2005). While frames do influence public opinion, studies have shown that framing effects on public opinion are generally weak and unstable (Schneider 1992; Alvarez & Brehm, 1994), easily overturned by the presentation of an opposing frame (Brewer & Gross, 2005). Public opinion, then, is constantly in flux depending on the representation of frames within the news media.

The vulnerability of public opinion may be exploited by perceptive elites and politicians (Alvarez & Brehm, 1994). Miller and Reichert (2001) note that “as stakeholders find access to journalists, they may be able to win visibility for their selective issue definition by exposure in the mass media.” Those members of society who understand the power of framing know that “if their frame becomes the dominant way of thinking” about the issue, then they will have already gained the favor of public
opinion by shaping how public opinion understands the issue (Nelson & Kinder, 1996). While frames may help the public to understand the core values or ideas at the center of an issue debate, they may also contribute to the hegemony of one group of ideas over another.

In media coverage of politically relevant issues, a dominance of frames can shape public opinion. Audiences tend to react to discussion of key issues emotionally rather than rationally, and overall support for civil liberties is ambivalent when audiences are presented with the potential consequences of such support (Kuklinski et. al., 1991). Such an ambivalent public provides an easy target for manipulation by politicians and other elites in power, who would use framing as a device in persuasive messages to influence public opinion on political issues (Cobb & Kuklinski, 1997; Entman, 1993). Previous studies on framing effects have managed to quantify the impact of framing on public opinion (Nelson, Clawson & Oxley, 1997; Nelson & Oxley, 1999). These studies have usually utilized sample articles or video segments from the media, or have simulated realistic news coverage in order to study framing effects.

The framing of hate speech has been proven to affect viewer perception of the permissibility of hate speech. A study by Nelson, Clawson & Oxley (1997) demonstrated that framing in a news story about a Ku Klux Klan rally influenced viewer opinion of the rally by emphasizing the significance of either free speech or public order. When the rally was discussed in terms of free speech, viewers expressed “greater levels of tolerance for KKK speeches and rallies” than when the rally was framed as an issue of public order and
a potential violent threat. While the effects of framing here are temporary and may fade, repeated exposure to either frame would result in a constant renewal of the framing effect. Frequent exposure to either frame ultimately leads to a long-term change in an individual's perspective on hate speech, which could have deleterious social impact by providing “cues about how we should integrate our beliefs into attitudes” (Calvert, 1997).

The Legal Approach to Framing

Legal literature has recognized the impact of framing within the hate speech debate by noting the fundamentally different perspectives on reality held by free speech advocates and those who advocate for the regulation of hate speech. Each side in the debate taps into different but similarly significant elements of the American historical psyche to rally support for its position. Free speech advocates reference the importance of the First Amendment to open political debate; democracy is assumed to depend on the public's freedom of expression to thrive. Advocates for limitations on hate speech cite the equally important Fourteenth Amendment, which promises equal protection under law. Hate speech is perceived as a violation of such protection by allowing some citizens to live in an atmosphere of increased fear and intimidation as produced by hateful speech (Delgado & Stefancic, 1994).

This atmosphere of hostility toward minorities and other targeted groups is currently not recognized as being a result of hate speech by United States law. Author Clay Calvert utilizes James Carey's 1989 theory of contrasting transmission and ritual
models to understand the different types of harm caused by hate speech. The transmission model focuses on the immediate and direct results of hate speech, and whether those results are recognizably harmful or damaging (Calvert, 1997). This emphasis on direct results of hate speech is reflected in the adoption of the fighting-words doctrine. The fighting-words doctrine of *Chaplinsky v. New Hampshire* (1942) limited the type of speech that could be censored, which was further narrowed in *Brandenburg v. Ohio* (1969). The limits of constitutionally protected speech after 1969 were defined by the threat of imminent lawless action. The only speech or expression not protected by the First Amendment was that speech which threatened to incite imminent violence or riot. U.S. courts have typically emphasized the direct and immediate results of hate speech by “adopt[ing] the transmission model...when examining cases of hate speech” (Calvert, 1997).

Through the ritual model, however, the indirect and long-term impact of hate speech is recognized. “Communication is a powerful symbolic and social process” that defines for a society's members what behaviors, traits, beliefs and ideas are acceptable or unacceptable (Calvert, 1997). Expressing hateful and discriminatory language increases the likelihood that the speaker will do so again, and “others may believe it is permissible to follow suit” (Delgado & Yun, 1994). This contributes to a reality that is hostile to minority groups and in which bigotry and discrimination continue. The most striking examples of hate speech's damage include recent historical events such as the Holocaust and the Rwandan genocide of 1994, both of which were preceded by propaganda
campaigns which utilized stereotypes, misunderstanding and fear to manipulate their audiences (Bakircioğlu, 2008). The burden of tolerating hate speech often rests more heavily on those targeted than on the rest of society (Calvert & Richards, 2002). Calvert recognizes, however, that adopting a ritual model in legislative approaches to hate speech would potentially limit freedom of speech rights in the United States.

Landmark cases in the United States have consistently looked to fairly protect the right of all individual citizens to speak freely by striking down efforts to restrict or regulate hate speech except in cases where it presents an imminent threat. Conversely, Canadian courts have attempted to prevent harm to society caused by hate speech by requiring that such speech be shown to cause harm. The *Canadian Charter of Rights and Freedoms* protects freedom of expression under clause 2(B), but makes an exception for violent acts, regardless of the intended meaning of the act, and state laws which do not have as their goal the limitation of expression “but nevertheless have this effect” (Moon, 2008). Such laws include the Criminal Code of Canada, which bans the willful promotion of hatred under section 319(2). Such laws can be “found to violate section 2(B) only if the person attacking the law can show that the restricted expression advances the values that underlie freedom of expression” (Moon, 2008).

In the important Canadian case *Regina v. Keegstra* (1990), in which a school teacher was charged with the “wilful[ sic] promotion of hatred” for expressing anti-Semitic views in his classroom and testing his students on his beliefs, the Canadian Supreme Court upheld the Criminal Code ban. James Keegstra, the defendant, challenged
this ruling by arguing that the ban violated his right to freedom of expression under section 2(B). While it was agreed that section 319(2) did indeed restrict expression under section 2(B), this restriction was seen as legitimate in the interests of preventing the spread of hateful ideas into the community. In the majority opinion, it was noted that “the restriction applies only when an individual wilfully promotes hatred.” Thus the law would only be violated in the event of an individual attempting to malign identifiable groups of people. It is questionable whether hate speech will always cause greater hatred, as expression of hateful speech and ideas creates only the risk of harm. The majority opinion in Regina v. Keegstra recognized that expression deserved constitutional protection if it contributed to the advancement of individual and societal values in a free and democratic society (Regina v. Keegstra, 1990). Hate speech may be eligible for restriction when it fails to contribute to public debate and reflection and is instead focused on manipulating an audience or inciting violent action (Moon, 2008).

Opponents of restrictions on speech argue that the freedom of expression contributes to the fulfillment of the individual; government interference in this process limits the liberty of a person and his or her ability to become self-fulfilled. This argument is closely related to the argument of 19th century philosopher John Stuart Mill (cited in Bakircioglu, 2008), who claimed that a freely operating marketplace of ideas contributes to the greater attainment of truth for all, by creating a need for ideas to be dissected, defended, and ultimately preserved or discarded (Bakircioglu, 2008). Opponents of restrictions on speech assume the autonomy of the individual, who is seen as fully
capable of engaging logical reasoning at will and overriding emotional responses to ideas or witnessed expression. However, author Julie Seaman asserts that a general truth, acceptable to both sides, is the fact that human behavior can be “influenced by the larger social context in which it occurs” (Seaman, 2008).

Answering hate speech with more speech may not be a plausible solution “when communicative resources are controlled by a small number of corporations and public discourse operates on marketing principles” (Moon, 2008). Where systems of profit-driven communication have become such large institutions that legislative forces cannot adequately address their power, it is an easier and more obvious solution to target the most radical forms of expression. Courts therefore feel challenged to “maintain a clear and protected space for freedom of expression in a world...where individuals sometimes seem pushed and pulled by communicative forces” (Moon, 2008).

The current study attempted to identify and compare hate speech frames in newspapers in both the United States and Canada. The study sought to identify which frames of hate speech are dominant in each nation's news media. The United States and Canada have opposing laws on the permissibility of hateful expression, and the study aimed to determine whether a correlation exists between a nation's legal approach to hate speech expression and the portrayal of hate speech in that nation's press.

Given the history of the freedom of the press in the United States, the study predicted that a frame emphasizing the importance of free speech would be dominant in the U.S. news media. The presence of hate speech censorship laws in Canada led me to
predict that a frame emphasizing the need to limit the freedom of hateful speech would be dominant in the Canadian press. The study also predicted that when the news media of the two nations were compared, the U.S. news media would contain a greater presence of the freedom frame than Canada, and that the Canadian news media would contain a greater presence of the regulation frame than the U.S. news media.

While contemporary news media often aim to maintain objectivity in reporting on issues and events, this dedication to objectivity is often relinquished in opinion pieces. Such pieces act as an open forum for the expression and defense of personal views, and are therefore inherently different from the reporting of the news. Frames in opinion pieces may be more prominent or clearly evident, and may be echoed and amplified from reported news stories. Through a quantitative content analysis, the study also aimed to determine if frames in opinion pieces differ at all from frames in news articles in the U.S. and Canadian news media.

An initial collection of data resulted in the creation of an individual group for press releases in the U.S. news media. Press releases are articles and statements released by groups seeking to promote a particular interest or perspective on an issue. The study sought to determine which frame, if any, is dominant in these press releases. In light of all the aims of the study, the hypotheses and research questions were as follows:

**H1**: The freedom frame will be dominant over the regulation frame in U.S. news articles about hate speech.
**H2:** The regulation frame will be dominant over the freedom frame in Canadian news articles about hate speech.

**H3:** U.S. news pieces will contain more of the freedom frame than Canadian news pieces, and Canadian news pieces will contain more of the regulation frame than U.S. news pieces.

**RQ1:** In U.S. newspaper content, how do frames in opinion pieces compare to frames in news articles?

**RQ2:** Is the freedom frame or the regulation frame more prominent in US opinion pieces?

**RQ3:** In Canadian newspaper content, how do frames in opinion pieces compare to frames in news articles?

**RQ4:** Is the freedom frame or the regulation frame more prominent in Canadian opinion pieces?

**RQ5:** How do the frames in opinion pieces compare between U.S. newspapers and Canadian newspapers?

**RQ6:** Is the freedom frame or the regulation frame dominant in the U.S. press releases?
Chapter 3

METHODOLOGY

To determine the frames of the hate speech debate, it was first necessary to understand the history and main points of the debate over hate speech. Landmark legal cases regarding hate speech as a form of expression from both the United States and Canada were reviewed. Two main frames were identified as dominating the debate over hate speech. These frames consisted of two fundamentally different views, each defining the impact and significance of hate speech within the context of social and legal history.

The regulation frame identifies hate speech as a significantly negative force within society due to its incitement of hatred and the encouragement of violence and marginalization of targeted groups. The freedom frame identifies hate speech as an expression of free speech which must be tolerated in order to maintain the strength of democracy and the civil liberties of citizens.

A list of key words and terms was created for each frame [see the complete list in the Appendix]. These terms were derived from legal reviews of the hate speech debate to reflect recurring themes in the discussion of hate speech. Within the regulation frame, terms such as community, society, hurtful, violence and incite indicate the framing of hate speech as the source of unwanted outcomes of intolerance and violence within communities, with significant and long-lasting negative social impact. Within the
freedom frame, terms such as *censorship, freedom, 1st Amendment* (also *First Amendment*), and *debate* indicate the framing of hate speech as a form of free speech which must be tolerated in a robust and open democracy, regardless of how offensive, in order to contribute to national dialogue.

The text analysis was performed on a sample of articles obtained through a search of the LexisNexis Academic database of the search term *hate speech* between September 1 2007 and September 1 2009 from U.S. sources (U.S. Publications and Wires) and Canadian sources. The beginning and end dates for the time period covered were selected from the first day of the study and then extended two years into the past. The analysis was limited to two years to remain within time constraints, after determining than an originally proposed time span of five years would result in an unmanageable number of articles. Articles were separated to create eight groups of articles: U.S. News, U.S. Opinion, U.S. Letter, U.S. Editorial, Canadian News, Canadian Opinion, Canadian Letter and Canadian Editorial using the LexisNexis Academic PowerSearch option.

To create the opinion groups, a search was conducted with the search terms *hate speech* and *letters*, *hate speech* and *editorials*, and *hate speech* and *opinion*. The news groups were created using the search term *hate speech* in all articles that were not letters, editorials, or opinion columns. The opinion groups contained all editorials, opinion pieces, or letters. The news groups contained all other articles.

The articles were re-sorted when it was discovered that the article groups frequently contained articles which belonged in other sections. Many of these incorrect
placements were due to variations in the labels given to article types when submitted to the LexisNexis database. These occurred most frequently with reader letters, which were sometimes excluded from the search term by creative naming. Letter sections were variously titled “Reader Letters,” “The Open Forum,” “Readers Write,” and even “Queries—Quibbles—Quirks.” Letters were also frequently cross-listed with editorials and opinion pieces. After this discovery all pieces which ended in a reader signature were entered into the letters group. All opinion pieces which were credited to a member of the editorial staff were grouped as editorials. All other opinion pieces were grouped as opinions. A fifth group was created for the US articles when it was discovered that many articles in the news group ended with a boilerplate referencing a company or interest group mentioned in the article, indicating that the article was likely derived from a press release submitted to the newspaper by a group or organization with some vested interest in the issue. All articles with a boilerplate format were grouped as press releases. A press release group was not created for the Canadian articles, as no Canadian articles contained any indicators of being press releases. In total 2,755 articles were analyzed, distributed across nine article groups. The editorial, opinion, and letter groups were later collapsed for analysis.
The content analysis was conducted using a free software program called VBPro, originally designed by M. Mark Miller in the early 1990s and copyrighted in 1995 for verbatim text analysis for educational and scholarly purposes (Miller, 1993). Using the VBPro program, I analyzed each article individually for the frequency of words and terms within the freedom and regulation frames.

Some search terms included asterisks to allow the inclusion of terms with prefixes or suffixes. The regulation frame includes the search term “*equal*” which would count
each occurrence of the word equal along with any prefixes or suffixes which would otherwise exclude this term from the search. In this way, terms such as *inequality* could be included without necessitating the creation of a separate category for a term with a theme similar to that of the base word. The negative forms were considered pertinent to the content analysis as their presence would be indicative of some discussion over social or legal equality.

After analysis, the data were entered into a spreadsheet and cleaned for data inconsistencies or mistakes, such as entering the incorrect frequency of a term within an article. Data were entered into SPSS for statistical analysis, in which the mean frequency of each frame for each article group was calculated. The mean frequencies represented the occurrence of each frame, so that a greater mean would represent the fact that the terms or words of a frame occurred more frequently. This indicated the greater prominence of a frame within an article group.
Chapter 4

RESULTS

A paired samples $t$-test was run to determine the dominance of either the freedom frame or the regulation frame in the U.S. news articles (Tables 1a and 1b). The freedom frame mean was .1411, and the regulation frame mean was .13, indicating that the presence of the two frames was very similar. A two-tailed significance test found a significance value of $p=.613$, indicating that the difference between mean occurrences of the two frames was not statistically significant.

1.1 Paired Samples Statistics for U.S. News Articles

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>N</th>
<th>Std. Deviation</th>
<th>Std. Error Mean</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freedom Frame</td>
<td>.1411</td>
<td>751</td>
<td>.15329</td>
<td>.00559</td>
</tr>
<tr>
<td>Regulation Frame</td>
<td>.1388</td>
<td>751</td>
<td>.13496</td>
<td>.00492</td>
</tr>
</tbody>
</table>

1.2 Paired Samples Test for U.S. News Articles

<table>
<thead>
<tr>
<th></th>
<th>t value</th>
<th>Degrees of freedom</th>
<th>Significance (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freedom Frame &amp; Regulation Frame</td>
<td>.507</td>
<td>750</td>
<td>.613</td>
</tr>
</tbody>
</table>

A paired samples $t$-test was run to determine the dominance of either the freedom frame or the regulation frame in the Canadian news articles (Tables 2a and 2b). The freedom frame mean was .12 and the regulation frame mean was .16. A two-tailed
significance test found a significance value of $p = .000$, indicating that the difference between mean occurrences of the two frames was statistically significant at the .01 level. The $H2$ hypothesis was supported.

2.1 Paired Samples Statistics for Canadian News Articles

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>N</th>
<th>Std. Deviation</th>
<th>Std. Error Mean</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freedom Frame</td>
<td>.1208</td>
<td>362</td>
<td>.17680</td>
<td>.00929</td>
</tr>
<tr>
<td>Regulation Frame</td>
<td>.1634</td>
<td>362</td>
<td>.15895</td>
<td>.00835</td>
</tr>
</tbody>
</table>

2.2 Paired Samples Test for Canadian News Articles

<table>
<thead>
<tr>
<th></th>
<th>$t$ value</th>
<th>Degrees of freedom</th>
<th>Significance (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freedom Frame &amp; Regulation Frame</td>
<td>-4.497</td>
<td>361</td>
<td>.000</td>
</tr>
</tbody>
</table>

A $t$-test was run to compare the frequency of the freedom frame in U.S. versus Canadian articles, and to compare the relative frequency of the regulation frame in the US articles and Canadian articles (Table 3). The U.S. freedom frame mean value of .14 was greater than the Canadian freedom frame mean value of .12, but was not statistically significant in an independent samples test. The Canadian regulation frame mean value of .16 was greater than the US regulation frame mean value of .14 and was statistically significant at the .05 level in an independent samples test.
A 2-tailed $t$-test was run to compare the freedom and regulation frames in the U.S. news articles to the freedom and regulation frames in the U.S. opinion articles (Table 4). The presence of the freedom frame in news ($m=.14$) and opinion ($m=.15$) articles was not different to a statistically significant degree. The regulation frame was more prominent in opinion articles ($m=.16$) than in news articles ($m=.14$), and the difference was statistically significant at the .05 level.

A paired samples statistics test was run to determine whether the freedom frame or the regulation frame was more prominent in U.S. opinion articles (Tables 5a and 5b). The regulation frame ($m=.16$) was more prominent than the freedom frame ($m=.15$). The
difference between the regulation frame and the freedom frame was found to be significant at the 0.05 level.

5.1 Paired Samples Statistics for U.S. Opinion Articles

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>N</th>
<th>Std. Deviation</th>
<th>Std. Error Mean</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freedom Frame</td>
<td>.1468</td>
<td>834</td>
<td>.12064</td>
<td>.00418</td>
</tr>
<tr>
<td>Regulation Frame</td>
<td>.1585</td>
<td>834</td>
<td>.12542</td>
<td>.00434</td>
</tr>
</tbody>
</table>

5.2 Paired Samples Test for U.S. Opinion Articles

<table>
<thead>
<tr>
<th></th>
<th>t value</th>
<th>Degrees of freedom</th>
<th>Significance (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freedom Frame &amp; Regulation Frame</td>
<td>-2.482</td>
<td>833</td>
<td>.013</td>
</tr>
</tbody>
</table>

A t-test was run to determine the prominence of the freedom frame and regulation frame in Canadian news articles and Canadian opinion articles (Table 6). Both the freedom frame (m=.15) and the regulation frame (m=.19) were more prominent in Canadian opinion pieces than in Canadian news pieces, where the freedom frame possessed a mean of .12 (m=.12) and the regulation frame a mean of .16 (m=.16). The difference was statistically significant for both frames. The freedom frame was more prominent to the .000 significance level. The regulation frame was statistically significant at the .01 level.
A paired samples test was performed to determine which frame was more prominent in Canadian opinion articles (Tables 7a and 7b). The regulation frame (m=.19) was found to be more prominent than the freedom frame (m=.15) to a .000 level of statistical significance.

### 7.1 Paired Samples Statistics for Canadian Opinion Articles

<table>
<thead>
<tr>
<th>Frame Type</th>
<th>Mean</th>
<th>N</th>
<th>Std. Deviation</th>
<th>Std. Error Mean</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freedom Frame</td>
<td>.1548</td>
<td>623</td>
<td>.09452</td>
<td>.004379</td>
</tr>
<tr>
<td>Regulation Frame</td>
<td>.1926</td>
<td>623</td>
<td>.13229</td>
<td>.00530</td>
</tr>
</tbody>
</table>

### 7.2 Paired Samples Test for Canadian Opinion Articles

<table>
<thead>
<tr>
<th>t value</th>
<th>Degrees of freedom</th>
<th>Significance (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>-6.568</td>
<td>622</td>
<td>.000</td>
</tr>
</tbody>
</table>

A t-test for equality of means was run to compare the freedom and regulation frames in U.S. and Canadian opinion articles (Table 8). The regulation frame in Canadian
opinion pieces (m=.19) was more prominent than the regulation frame in U.S. opinion pieces (m=.16) to a level of .000, which was statistically significant. The freedom frame was similarly prominent in US (m=.15) and Canadian (m=.15) opinion articles, being slightly more prominent in Canadian opinion pieces, but not to a statistically significant level.

8  

### t-test for Frames Between U.S. and Canadian Opinion Articles

<table>
<thead>
<tr>
<th></th>
<th>N</th>
<th>Mean</th>
<th>Significance (2-tailed)</th>
<th>Mean Difference</th>
<th>Std. Error Difference</th>
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</thead>
<tbody>
<tr>
<td>US Freedom Frame</td>
<td>835</td>
<td>.1468</td>
<td>.171</td>
<td>.00800</td>
<td>.00583</td>
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<tr>
<td>CA Freedom Frame</td>
<td>623</td>
<td>.1548</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>US Regulation Frame</td>
<td>836</td>
<td>.1587</td>
<td>.000</td>
<td>.03381</td>
<td>.00678</td>
</tr>
<tr>
<td>CA Regulation Frame</td>
<td>629</td>
<td>.1925</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Equal variances assumed

A one-sample test was performed to compare frames in the U.S. press release articles (Table 9). The freedom frame (m=.64) was found to be more prominent than the regulation frame (m=.60) to a statistically significant level of .000 in U.S. press releases.

9  

### Frames in U.S. Press Releases

<table>
<thead>
<tr>
<th></th>
<th>N</th>
<th>Mean</th>
<th>t</th>
<th>df</th>
<th>Significance (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freedom Frame</td>
<td>167</td>
<td>.6431</td>
<td>9.279</td>
<td>166</td>
<td>.000</td>
</tr>
<tr>
<td>Regulation Frame</td>
<td>167</td>
<td>.6004</td>
<td>10.477</td>
<td>166</td>
<td>.000</td>
</tr>
</tbody>
</table>
Chapter 5

DISCUSSION

The freedom and regulation frames in U.S. news articles were found to be similar in their prominence, with no statistically significant difference between them. The $H1$ hypothesis was therefore rejected. The frames are roughly equal in their representation in the U.S. printed news media. The freedom frame was predicted to dominate U.S. news due to the press's interest in supporting the greatest freedom of speech possible. However, an equal representation of both the freedom and regulation frames demonstrates that perspectives on hate speech are given nearly equal treatment in the news press.

Such equal treatment could have either a positive or a negative effect on public opinion. Both frames are given equal attention, providing the public with the opportunity to look at the issue of hate speech expression from sufficiently represented perspectives. However, audiences who are presented with conflicting values in a single news treatment of an issue debate have been found to express greater ambivalence toward the issue (Alvarez & Brehm, 1995). Equal prominence of the regulation and freedom frames on hate speech may ultimately reduce the likelihood the public will hold any consistent opinion at all if both frames are present within an article.

The regulation frame was found to be dominant over the freedom frame in Canadian news articles about hate speech to a statistically significant degree. The $H2$
hypothesis was supported. This result demonstrates that news frames of hate speech in
Canada are significantly more in line with legislative policy regarding hate speech. Hate
speech in Canada is illegal if it does not contribute to legitimate debate, and the
dominance of the regulation frame in news articles reflects this law.

U.S. news articles were found to contain more of the freedom frame than
Canadian news articles, and Canadian news articles were found to contain more of the
regulation frame than the U.S. news articles. The freedom frame is more prominent in the
U.S. news than it is in Canadian news, and the regulation frame is more prominent in the
Canadian news than it is in the U.S. news; the \( H3 \) hypothesis was supported. These
results indicate that the most prominent frame in each country's news is congruent with
that country's current policy toward the permissibility of hate speech.

The freedom frame was found to be similarly prominent in U.S. news articles and
opinion pieces. The regulation frame was found to be significantly more prominent in
U.S. opinion pieces than in U.S. news articles, indicating that members of the news media
and the public articulate the regulation frame more frequently than they do the freedom
frame when discussing hate speech issues. In a comparison of frames in Canadian news
articles and opinion pieces, both the freedom and regulation frames were found to be
more prominent in opinion pieces than in news articles. In the opinion pieces, the
regulation frame was dominant, which indicates that public opinion on hate speech in
Canada is congruent with current speech laws. The greater prominence of frames in
opinion pieces than in news pieces could indicate that those who write opinion pieces are echoing and amplifying the frames they originally encounter in news articles.

In comparing the frames in U.S. and Canadian opinion pieces, I could see that the regulation frame was more prominent in Canadian opinion pieces than in U.S. opinion pieces. The freedom frame was similarly prominent in US and Canadian opinion articles. While the freedom frame is similarly discussed in U.S. and Canadian opinion articles, the regulation frame is significantly more prominent in Canadian opinion articles, reinforcing the conclusion above that public opinion in Canada is congruent with its current regulations on hate speech.

The freedom frame was more prominent in U.S. press releases than the regulation frame. Many of the press releases included in the analysis were products of advocacy or interest groups such as the Council for American-Islamic Relations, the Family Research Council, Hate Hurts America, Accuracy in Media, the National Hispanic Media Coalition and the American Life League. The press releases were usually written in response to events in which a group or individual expressed some controversial or offensive idea which may have been considered hateful. As freedom of speech is considered a core American value by much of the U.S. public, such groups may have accentuated their support for freedom of speech while still condemning the words or actions expressed in reported events.

Future research would address some of the limitations of the study. While search terms drawn from legal literature were the basis for measuring the incidence of frames,
the valence of the terms was not measured. Future studies could utilize Likert scales to determine whether terms caused positive or negative reactions in audiences, and whether those reactions were strong or weak. This could assist in determining which terms within each frame are most effective at priming attitudes in audiences.

It is also important to address the issue of validity within the study. The computerized content analysis only measured the occurrence of each term within each frame, without assessing the context of the term. It is possible that a term such as community, which was counted as an indicator of the regulation frame, existed as part of a freedom frame context, such as discussing a community's support of the freedom of its members to express hate speech, or even outside of a frame context, such as mentioning the name of a community center. Additionally, there was no measurement of incidences in which both frames occurred in the same article. Previous research has indicated that opposing frames present within a single article may cancel each other out, leading to audience ambivalence on the issue discussed (Brewer & Gross, 2005). Such an effect could not be addressed within the limitations of this study.

While many studies have looked at the effect of news frames on public opinion, more research should be conducted on the effect of framing within opinion pieces in the press. Determining the existence of frames within opinion pieces could contribute to a greater understanding of the influence of the news media’s framing on public opinion and allow researchers to determine how frames are incorporated into public opinion. Further research would determine the strength and co-occurrence of frames in opinion pieces.
Opinion pieces, especially those written by the public, may act as a more detailed measurement of what impact frames have on public opinion than commonly used post-test attitude and opinion surveys. Additional research could also contribute to an understanding of whether or not opinion pieces may be responsible for introducing new frames into news media coverage of issues.

Further research should also investigate the role of framing in press releases. While the U.S. press releases were clearly labeled as such in the LexisNexis Academic database, less media-literate members of the public may not be able to discern that such articles are not totally objective news reports written by journalists and newspaper staff. Press releases may play a previously unrecognized role in influencing public opinion through frames. Numerous studies have analyzed the influence of news frames on public opinion, allowing for greater understanding among researchers of their effect as part of the news media. More research should be conducted on those aspects of news media which are not truly news, but still contain frames which may influence the opinions of audiences.

Hate speech is a controversial issue in both Canada and the United States, arousing passionate responses on each side of the debate over its expressive freedom. Legislatively, hate speech is addressed in very different ways, which is somewhat reflected in the frames of hate speech that dominate the news media of each nation. Future efforts at studying hate speech will assist us in understanding how hate speech is presented to the public through the news media. With further work it may be possible to
contribute to a common understanding in which a reconciliation between the two frames of hate speech can be attained. Such an understanding will acknowledge the necessity of balancing our rights to freedom of speech against our responsibilities for the results.
REFERENCES


Association 2008 Conference, Montreal, Canada.


Scheufele, D. A. Framing as a theory of media effects. *Journal of Communication, 49*(1), 103-122.


Appendix

FRAME TERM LISTS

Regulation Frame Terms

<table>
<thead>
<tr>
<th>Term</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>equal</em></td>
<td>hate*</td>
</tr>
<tr>
<td><em>justice</em></td>
<td>hatemonger*</td>
</tr>
<tr>
<td>14th Amendment</td>
<td>hatred*</td>
</tr>
<tr>
<td>access to speech</td>
<td>hostile</td>
</tr>
<tr>
<td>attitude*</td>
<td>hostility</td>
</tr>
<tr>
<td>civil right*</td>
<td>hurtful</td>
</tr>
<tr>
<td>communitarian</td>
<td>imbalance of power</td>
</tr>
<tr>
<td>community</td>
<td>incite*</td>
</tr>
<tr>
<td>compelling speech</td>
<td>institution*</td>
</tr>
<tr>
<td>dehumanize</td>
<td>insult*</td>
</tr>
<tr>
<td>demeaning</td>
<td>intimidat*</td>
</tr>
<tr>
<td>derogatory</td>
<td>invective*</td>
</tr>
<tr>
<td>dignity</td>
<td>legitimate expression</td>
</tr>
<tr>
<td>extreme</td>
<td>legitimate speech</td>
</tr>
<tr>
<td>fear</td>
<td>minority</td>
</tr>
<tr>
<td>fourteenth amendment</td>
<td>oppress*</td>
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</tbody>
</table>
power
progressive
promote*
psychological
racial supremacy
racist
reform*
respect*
self-respect
sexist

society
stereotype*
stigmatize
supremacist*
threat*
tort law
valuable expression
victim*
vigence

Freedom Frame Terms
*tolerance
counterspeech
1st Amendment
debate
academic
democracy
ACLU
development*
attainment of truth
discussion*
autonomy
diversion*
censorship
education
content neutrality
First Amendment
counterproductive
free expression
free speech restriction
freedom self-fulfillment
fulfill* slippery slope
fundamental freedom* speech-protective standard
fundamental right* state
government interference suppress*
government restriction thought*
Holmes tolerate*
individual* totalitarian
liberty* undermine*
logical vague*
marketplace of ideas
Mill
narrow limitation*
overbroad
personal
political
potential
prohibition
protected speech
regime