

Chapter 17

Post-9/11 Policy Discussions of Civil Liberties

Linda M. Merola
George Mason University, USA

ABSTRACT

During the years following the attacks of September 11, 2001, American leaders confronted a substantial number of contentious dilemmas involving civil liberties in the context of terrorism. Previous scholarship has made clear that exposure to threatening information may result in significant decreases in the public's willingness to support expansive civil liberties guarantees, yet few researchers have systematically examined the content of information transmitted to the public during these debates. This study employs a computerized content analysis to investigate differences in broadcast media coverage following the reporting of significant post-9/11 security/rights dilemmas. The analysis focuses on two key periods: the reporting of President Bush's authorization of warrantless NSA wiretapping in late 2005 and the 2009 proposal by President Obama to close the Guantanamo Bay detention facility. Findings suggest that broadcast sources diverged significantly in the amount of threat conveyed to the public during the reporting of key security/rights dilemmas.

INTRODUCTION

Since September 11, 2001, American leaders and members of the public alike have been forced to consider a substantial number of policy questions related to terrorism. Additionally, contentious debates about the appropriate “balancing” of civil liberties guarantees with concerns over security have often been embedded in these policy questions (Davis & Silver, 2004a). For example, dilemmas of this type have involved the propriety of warrantless wiretapping, the privacy of citizens' library records, the acceptability of indefinite detentions and military tribunals, and

most recently, the authority of the President to order preventative assassinations via drones, to name only a few. It is no wonder, then, that across the post-9/11 period, large percentages of the American public have believed such issues to be among the most important facing the U.S. (Davis & Silver, 2004b). Yet, despite the centrality of post-9/11 debates over rights, few researchers have systematically examined the content of our public discourse concerning these issues, nor its impact on members of the public (Merola, 2013b).

Although the post-9/11 discourse about civil liberties and terrorism has not often been studied by social scientists, there is a good deal of support

in the literature for the idea that communications during times of threat may be particularly influential to public opinion regarding rights. For example, researchers investigating the determinants of public support for expansive civil liberties guarantees – or what is frequently termed “political tolerance” – have found that the information environment significantly influences individuals as they make decisions about the appropriate scope of rights (Marcus, Sullivan, Theiss-Morse & Wood, 1995; Nelson, Clawson & Oxley, 1997). Indeed, experimental research in the field of political tolerance has demonstrated that the influence of incoming information is particularly profound when individuals feel threatened, although much of this research has examined threats unrelated to terrorism (Marcus, Sullivan, Theiss-Morse & Wood, 1995).

Thus, an examination of the content of information following a crisis, such as a terrorist attack, would seem to be crucial to understanding how views about rights might evolve following such a crisis (Merola, 2013b). As a result, this chapter will examine the content of public information surrounding two key civil liberties debates during the latter post-9/11 period: the discovery of President George W. Bush’s authorization to the National Security Agency (NSA) to engage in warrantless wiretapping and President Barack Obama’s 2009 proposal to close the detention facility at Guantanamo Bay, Cuba. Even where previous research has examined the content of post-9/11 media coverage concerning rights, prior studies have largely been limited to those years directly following 9/11 (Merola, 2013b). For this reason, one benefit of this study will be to focus attention on security/rights dilemmas of the latter post-9/11 period.

The analysis conducted below will focus on the extent to which threatening information has been transmitted to the U.S. public, a key concern given the previous findings in the field of political tolerance. At various times, much has been made of the degree to which fear of terrorism may have been used to “scare” the public into relinquishing

rights or supporting particular public policies limiting freedoms. In addition to examining the quantity of threat present in the coverage of these debates, this chapter will also compare coverage from four different broadcast news sources with the goal of understanding how the content and timing of coverage in these sources may have influenced those watching these debates unfold. However, prior to further discussion of the methodology employed here and its results, the next section of this chapter will explore in greater detail the existing literature relevant to this study.

BACKGROUND

Psychologists, communications researchers, and others have long suggested that even “subtle differences in the presentation of identical information in the news media can affect the organization and recall of information and ultimately influence [the] political judgments” made by the public (Berinsky & Kinder, 2006, p. 640). Such differences in presentation are often called media “framing” (Chong, 1993; Druckman, 2001; Entman, 1993, 2004; Iyengar, 1991, p. 130-36; Zaller, 1992, p. 83-84). Frames can result from the writing process, which is focused around the presentation of a logical and cohesive news item (Berinsky & Kinder, 2006). In making their decisions about how to present information, reporters naturally try to provide context to those reading or watching a news item, but the specific information selected for context may influence the underlying opinions of the audience. Frames may also be the product of “word choices, the rhetorical devices employed, [or] the narrative form,” but do not need to present explicitly biased information in order to influence individuals (Cappella & Jamieson, 1997, p. 39; Sniderman & Theriault, 2004). Regardless of their source, however, frames may have profound effects on individuals’ opinions, sometimes even in the face of highly-ingrained societal values (Iyengar, 1990).

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