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WEAPONIZING BIAS: AN ANALYSIS OF POLARIZED MEDIA DURING THE
KAVANAUGH/FORD HEARINGS

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Abstract

This thesis examines the rhetoric of cable news networks in the context of the Brett Kavanaugh/Christine Blasey Ford hearings in September of 2018. By analyzing the networks' framing methods, rhetorical devices, and use of character and ethos, we can look at how network bias bleeds through to rhetoric and contributes to polarized political discourse. Fox News Network takes a very direct style of rhetoric, creating a narrative and discourse rooted in attacking and mistrusting the other side. MSNBC takes a more indirect approach, encouraging its viewers to elaborate and creating more resilient attitudes while discrediting the other side of the aisle. Both networks' political bias is evident in the techniques they use, illuminating how networks are incentivized to create political polarization in order to maintain a steady viewership base and profit.

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Chapter 1

Introduction

Overview

“I am here today not because I want to be. I am terrified. I am here because I believe it is my civic duty to tell you what happened to me while Brett Kavanaugh and I were in high school...thousands of people who have had their lives dramatically altered by sexual violence have reached out to share their experience and have thanked me for coming forward. We have received tremendous support from our friends and our community. At the same time, my greatest fears have been realized and the reality has been far worse than what I expected. My family and I have been the target of constant harassment and death threats, and I have been called the most vile and hateful names imaginable. These messages, while far fewer than the expressions of support, have been terrifying and have rocked me to my core.” -Christine Blasey Ford, on describing her decision to come forward with her accusation

“This whole two-week effort has been a calculated and orchestrated political hit, fueled with apparent pent-up anger about President Trump and the 2016 election, fear that has been unfairly stoked about my judicial record. Revenge on behalf of the Clintons and millions of dollars in money from outside left-wing opposition groups. This is a circus. The consequences will extend long past my nomination.

The consequences will be with us for decades.” -Brett Kavanaugh, on the motivation behind the hearing

On September 16, 2018, Dr. Christine Blasey-Ford came forward publicly with an accusation against Supreme Court nominee Brett Kavanaugh, alleging that he sexually assaulted her at a party when they were teenagers. The media circus and events that occurred during the weeks following brought issues into the public eye that hadn't been seen since the Clinton administration. In fact, the political messaging and posturing that followed bore many similarities to the Clarence Thomas nomination and Clinton sex scandal - the main difference being that the arguments made by Republicans and Democrats switched sides. Moreover, the scope of partisan media expanded to millions more people since the 90s, leading to new outcomes and implications for the scandal. Underneath the calls for the #metoo movement and the debate over qualifications vs. character seen frequently throughout the Kavanaugh scandal, the media in the US pushed targeted partisan narratives in order to promote political agendas to their bases. This thesis aims to explore the techniques used by the media in their coverage of the scandal as well as the practical effect this coverage has on different populations, especially those of different political ideologies.

Context

The Kavanaugh nomination was controversial long before Ford's accusations came to light. Many Democrats were concerned with the judge's stance on reproductive rights and his stance that a sitting president could not be indicted for federal crimes while in office, as well as

the fact that his confirmation would mean a 5-4 majority of conservative justices on the court.

However, his nomination was far from the first controversial nomination to the Supreme Court.

Up until the latter half of the twentieth century, most nominations, while occasionally opposed for partisan reasons, were confirmed based on presidential prerogative and the nominee's qualifications (Greenberg, 2018). In the sixties, the court's liberal activism - ruling in favor of desegregation, separation of church and state in schools, and criminal justice reform - prompted many conservative legislators to strongly oppose President Lyndon B. Johnson's Supreme Court nominations, especially the nomination of Thurgood Marshall in 1967. Senate Republicans took the approach of going after Marshall's qualifications, but they also shifted these qualifications into implications for policy failure. Marshall's opponents related him to crime, communism, and a liberal judiciary, claiming that he was not qualified to sit on the court because his policies would have an effect on his ability to be an impartial justice. They claimed his constitutional opinions would be based on activism rather than the original text of the constitution (Parry-Giles, 1996). Marshall was eventually confirmed, but eleven republican senators voted against the nomination (Greenberg, 2018).

Democrats held the senate in the 1968 election when Nixon won the presidency and were ready to exact payback for the political spectacle of the Marshall nomination. Two of Nixon's Supreme Court nominees, Judge Clement Haynsworth and Judge George Harrold Carswell, were rejected by the Democratic-majority senate. Vatz and Windt in 1974 identified three main grounds for opposing a court nominee in this era: judicial philosophy, ethics, and competence - all aspects that center around the person instead of strictly their judicial opinions and qualifications. While Democrats attacked the nominations for the nominees' questionable ethics and mediocrity, Nixon and other Republicans tried to shift the debate towards the nominee's

political and judicial beliefs because they believed this was sturdier ground to argue from. Nixon even went so far as to claim that opposing his nominees was subverting the constitution (Vatz & Windt, 1974).

Reagan's nomination of Robert Bork in 1987 marked the final nail in the coffin for impartial Supreme Court nominations. Bork was a well-known judge and legal theorist, and he was especially famous for his role in the Saturday Night Massacre during the Watergate scandal; he was the person who fired the special prosecutor after the attorney general and deputy attorney general refused to do so (Totenberg, 2012). Bork's judicial record - holding stances against civil rights, the right to privacy and contraception, and gender equality - prompted a swift and decisive movement against his nomination. It didn't help that Bork appeared dry and unimpressed during his confirmation hearing which eventually helped to turn public opinion against him (Totenberg, 2012). The nomination was defeated by a 52-48 vote, and the verb "to bork" entered the common vernacular (meaning "to defame, obstruct, or vilify a person systematically") (Totenberg, 2012).

The trend of controversial Supreme Court nominees has continued throughout the late 20th and early 21st centuries, most notably with the nominations of Clarence Thomas in 1991 and Merrick Garland in 2016. However, the above-mentioned confirmation battles marked some of the most important and influential cases in laying the groundwork for the opposition of Supreme Court candidates. These cases marked a decided shift in how our elected officials chose which nominations to support or oppose. It became more about the person and their character, than it did about their occupational qualifications.

Timeline

On July 9, 2018, President Trump nominated Judge Brett Kavanaugh to the Supreme Court to succeed Justice Anthony Kennedy. The nomination marked a move to the right for the Court - Kennedy was known to be a swing vote that would occasionally vote with the left-leaning members of the Court, but Kavanaugh was expected to vote much more conservatively, giving the Court a total of five conservative justices. Throughout the rest of the summer, Kavanaugh met with top Republican lawmakers. Kavanaugh's confirmation hearings began on September 4, 2018 in front of the Senate Judiciary Committee. The committee consisted of eleven Republicans and ten Democrats with Chuck Grassley (R) and Diane Feinstein (D) as the chair and ranking member respectively (Tatum, 2018). On September 12, 2018, an article was published by *The Intercept* reporting that Feinstein was in possession of a letter detailing an accusation against Kavanaugh, but she refused to share it with her Democratic colleagues on the committee (Grim, 2018). CNN reported on the same day that the FBI forwarded the letter from Feinstein to the White House counsel in accordance with background check guidelines. The story went public on September 16 - Dr. Christine Blasey Ford authorized a story published in the *Washington Post* accusing Kavanaugh of sexual assault when they were at a party in high school. Kavanaugh unequivocally denied the allegations (Tatum, 2018).

In the following days, Ford's lawyers called for the FBI to investigate Ford's claims. Trump said the FBI "really doesn't do that" and expressed sympathy for Kavanaugh, saying that he and his family have been treated very unfairly. However, he refrained from commenting about Ford. On September 22, Ford accepted the Judiciary Committee's offer to testify the following week. Another allegation against Kavanaugh surfaced on the 23rd - the *New Yorker* published Deborah Ramirez's story where she claimed that Kavanaugh exposed himself to her at a party in

college. The day after, Kavanaugh and his wife appeared in an exclusive interview on the Fox news network where they continued to deny the accusations. A third accuser, Julie Swetnick, came forward on September 26, submitting a sworn statement to the Judiciary Committee alleging that Kavanaugh and his friend Mark Judge were present at a party where she was drugged and gang raped (Tatum, 2018).

Both Ford and Kavanaugh testified publicly before the committee on September 27, 2018. The hearing was aired live on multiple national television stations. Committee Republicans hired a sex crimes prosecutor to question Ford but dropped her partway through Kavanaugh's testimony, returning to ask questions themselves. Ford gave an opening statement recounting the alleged assault to the senators and continued to answer questions, saying that she was "100%" sure that Kavanaugh assaulted her. Kavanaugh gave his opening statement, stating that the accusations were a calculated political hit. Committee members took the opportunity to attack the other side with accusations of partisanship and political posturing (Tatum, 2018).

The day after the hearing, Senator Jeff Flake was cornered by protestors in an elevator. He agreed to vote to move Kavanaugh's nomination out of committee on the condition that the FBI were to conduct an investigation into the assault allegations before the Senate voted on confirmation. Trump authorized the investigation, but said it had to have a limited scope and take no more than a week to complete (Tatum, 2018).

On October 2, 2018, CNN reported that the FBI was expanding the probe beyond the initial White House directive. The FBI also completed an interview with Kavanaugh's friend Mark Judge on the same day. Trump mocked Ford's testimony at a campaign rally in Mississippi, remarking on her memory. The FBI delivered its report to the Judiciary Committee on October 4, 2018. Kavanaugh was confirmed to the Supreme Court on October 6, 2018 in a

50-48 vote. Joe Manchin was the only Democratic senator to vote in favor, and Lisa Murkowski was the only Republican senator to vote against. However, she withdrew her vote to maintain a two vote margin because her Republican colleague Steve Daines was at his daughter's wedding (Tatum, 2018).

Theory

In examining the rhetoric and public effect of news coverage surrounding the Kavanaugh/Ford hearing, we should have a basic understanding of public rhetoric relating to political leadership as well as the media's relation to the general public and to reported news itself. In the eye of the general public, the characterological nature of the constitution necessitates a politics of character, one where our leaders are meant to represent our ideals and ideologies rather than a set of policies (Parry-Giles, 1996). Thus, the United States' political institutions are not necessarily defined by the policies they enact - rather the meaning behind our institutions and what they come to represent comes from whatever the people, the system, and the media collectively decide they represent (Stuckey & Wabshall, 2000). The legitimacy and cultural meaning behind our institutions such as the presidency and the Supreme Court are shaped by sets of ideological rhetoric. Such rhetoric both shapes and is shaped by their portrayal in the media and in public discourse (Parry-Giles & Parry-Giles, 2002).

As both a cause and consequence of a suffering democratic process, we develop a rhetorical 'war' in order to solve political problems (DeLuca & Buell, 2005). This manifests in the targeted mobilization of certain groups/political factions via the media in order to 'win' the rhetorical war (DeLuca & Buell, 2005). Political parties work in tandem with news media

corporations to collaborate on the goals of political mobilization and profit, resulting in highly partisan media outlets that supercharge the us vs. them quality of political rhetorical warfare - Republicans vs. Democrats, Fox vs. MSNBC, Kavanaugh vs. Ford (Lazere, 2013). The modern day military metaphors for politics promoted by the media provide unity for similar viewers and an enemy for them to rally against, making mobilization easier and more effective. Thus, in order to consider how different political realities of different groups are affected by the media, we must consider the tactics and approaches the media uses to construct these realities, as well as their practical implications.

Methodology

Data were sourced from the news networks Fox and MSNBC. The selected articles and transcripts provided coverage in a two week period surrounding the date of the hearing from September 20-October 4, 2018.

A total of thirty-one transcripts from Fox and fifty-three transcripts from MSNBC within the two week period were selected for analysis. The transcripts were recorded from a variety of programs/shows on both networks, and we excluded transcripts from programs that did not cover or barely touched (spent less coverage time than the time between commercial breaks) on the Kavanaugh hearing. Fox and MSNBC were selected because they are two of the most popular right- and left-leaning news networks respectively. Both have been accused of extremely biased reporting and “fake news” by their opposing side. Regular viewers of one network are unlikely to watch the other, so the purpose of this paper is to examine the differences in the rhetorical

devices, framing, and bias of the news networks and how this affects viewers' perceptions of the events.

A qualitative approach was used for this project. Articles and transcripts were read and analyzed for their use of rhetorical devices and framing as well as for how these devices were used to display network bias and political agenda. I am interested in both the type and quantity of rhetorical devices used - whether one network uses more of one device than the other, for example, or how networks apply the same device in different ways.

This examination will be useful to show how media bias and framing affects their viewerships' perception of political events and how this contributes to partisan polarization in the United States.

Chapter 2

Framing

Overview

In this chapter, I examine each network's framing of the Kavanaugh/Ford hearing. Along with rhetorical devices and interpretations of the character of the figures involved in the hearing, news networks use different framing techniques to present very different perspectives of the same events. While devices and character attacks are deployed to present a specific image, these take place within the context of a larger set of frames that dictate the theme and narrative of the event overall.

Narrative Frames

For example, the story for Fox viewers was one that portrayed Brett Kavanaugh as the victim of a Democratic conspiracy to quash his nomination. The Fox network portrayed Brett Kavanaugh as a well-qualified, judicious man who is a friend to women and the Constitution. Christine Blasey Ford was shown to be a sympathetic but ultimately disreputable figure with inconsistencies in her story and a faulty memory. The enemy was not Dr. Ford herself - it was the Democrats who were bringing harm unto Kavanaugh and his family and making a poor victim testify about a traumatic sexual assault. This approach allowed the network to play up the conservative angle without angering its viewers by attacking Dr. Ford.

The whole scandal was portrayed as an excuse for the Democrats to exact revenge on President Trump, and they would go to any means to achieve that revenge, even if that meant playing politics with an assault victim and a good man with an innocent family. It would not be fair to such an accomplished, esteemed, and ultimately good man to have this opportunity stripped from him over a baseless accusation from decades ago, and his outbursts at the hearing were completely justifiable. Anybody would be angry over such a scandal that caused such grave harm to them and their family's good name.

The accusations that came from women other than Ford were also treated as baseless plots by the Democrats to further obstruct Kavanaugh's hearing - one could not be corroborated by any witnesses, and the other was being represented by a lawyer who was a known Trump enemy and probably a Democratic shill. All of this was just an attempt by the Democrats to obstruct the confirmation process, confuse the public, and ruin the life and good name of an accomplished judge, and only the Republicans could be trusted to keep the Democrats in check and make sure the powers granted to Congress through the Constitution could be carried out.

The FBI investigation was unnecessary as Kavanaugh had already been through multiple background checks, and it was simply a concession by Republicans so the Democrats would stop whining about it. The limits imposed on the scope of the investigation were so that it could be finished in a timely manner, and, after all, the president said the FBI could speak to whoever they wanted.

Viewers were strongly discouraged from trusting other news outlets such as MSNBC or the *New York Times* because they were supposedly in on the conspiracy. It was only Fox that could be trusted to give a fair interpretation of the facts so long as they were in favor of Kavanaugh.

The MSNBC narrative was effectively the polar opposite. Ford was a brave, noble woman doing what was best for her country in speaking out, and Kavanaugh was a sexual predator who lied through his teeth at the hearing. Here was a woman who was speaking out to protect the highest court in the land, and the Republicans were doing everything they could to prevent her from speaking out. Kavanaugh was an ill-tempered, vindictive person who felt entitled to a seat on the Supreme Court, and his partisan ramblings at the hearing were indicative of a temperament that could not be nonpartisan on the bench.

It did not matter if the accusations were true - the hearing was a job interview, and Kavanaugh's display should have barred him on its own. The accusations were credible and probably true, though, and Kavanaugh had a history of sexually aggressive behavior as shown by the other accusations levied against him in the wake of the hearing. This was just another instance of Republicans trying to ram through a candidate that would enforce a dangerous, conservative agenda for decades to come, a candidate who would be bad for women's rights and would be a rubber stamp for Trump's decisions and impeachment challenges, as evidenced by the Judiciary Committee Republicans' behavior during the hearings.

Another FBI investigation was necessary to look into the allegations against Kavanaugh, but the one they got was intentionally hindered. The president and Senate Republicans purposefully limited the scope of the FBI investigation so they could pretend there was an air of legitimacy to the proceedings while still protecting Kavanaugh. The FBI could not possibly complete a thorough investigation in a week's time without being able to talk to key witnesses, and therefore it must be a sham.

Fox News and other right wing media absolutely could not be trusted; they were propaganda mouthpieces for a corrupt and immoral Republican administration that would stop at nothing to discredit Dr. Ford.

In this chapter we will analyze the types of frames present in political news coverage by taking a look at how each network uses certain frames and to what extent. Then we will look at tactics unique to each network that are used to set up overarching rhetorical frames. Finally, we will discuss how these kinds of tactics and frames lead to polarization and resilient political group identities.

Types of Issue Framing

Consider three well-established types of news frames: conflict frames, in which the issue is presented as a conflict between interest groups; human interest frames, in which the issue is presented as a personal struggle on the level of the individual; and consequence frames, in which the issue is constructed in terms of its potential outcomes (Scheufele, 1999). The issue frames will have a significant effect on how the viewer perceives and processes the issue potentially locking out other responses or perspectives (Scheufele, 1999).

Fox News uses the conflict frame to the greatest extent as evidenced by the frequent use of ‘us vs. them’ and war rhetoric, personal and generalized attacks on liberals and the media, and accusations of partisanship and ‘playing politics’ against House Democrats.

Throughout tonight's show, we're going to reveal exactly how the left is working to delegitimize the Supreme Court nominee and why the Kavanaugh battle is so

important to the future of the Republican Party, the court itself, the country, and yes, to your family. (Ingraham, 2018).

This is a good example of some of the above tactics when it comes to displaying a conflict frame. The use of the word 'battle' to describe the nomination posits Democrats and Republicans as enemies. Fox establishes itself and its base as having the moral high ground by framing the left as attempting to destroy government institutions, and it places importance on the nomination by appealing to the group identity of the party and to its associated values such as law and family. The end result is a message that justifies itself as a future call to action against an enemy that puts the country at stake.

To a lesser extent, Fox uses the human interest frame to humanize Brett Kavanaugh, calling attention to the impact of the scandal on his family. This was perhaps most clearly evident in the interview between Fox anchor Martha McCallum and Brett Kavanaugh and his wife Ashley - there was a heavy focus on the impact to their family as well as Kavanaugh's personal life and habits throughout his high school years, college years, and beyond. The following exchange between Martha McCallum and Ashley Kavanaugh is perhaps the clearest example of the human interest frame in the interview.

MACCALLUM: All right. Ashley, how has this been for the girls, for your family? What have you guys -- give us whatever window you feel comfortable saying about what this has been like for you as a family.

A. KAVANAUGH: This -- it's very difficult. It's very difficult to have these conversations with your children which we've had to have, some broader terms for our youngest, but they know Brett and they know the truth. And we told them at the very beginning of this process this will be not fun sometimes. You're going

to hear things that people feel strongly and you need to know that and just remember you know your dad.

By asking about the Kavanaugh family as a whole, the interview takes on a personal and emotional tone. Ashley speaks candidly about the stress this has taken on her family and how she and her husband are trying to help their daughters through this. It is difficult not to sympathize. Many parents would do anything to protect their children, and it is difficult for anyone - parent, spouse, or child - to imagine their family member as being capable of something as serious as sexual assault. It further humanizes Kavanaugh and implies his innocence at a personal level, generating sympathy.

Additionally, further in the interview, MacCallum uses the human interest frame to provide Kavanaugh with more credibility with the target demographic based on the traits Fox viewership extol in a person.

MACCALLUM: So, you're saying that all -- through all these years, that are in question, you are a virgin.

B. KAVANAUGH: That's correct.

MACCALLUM: Never had sexual intercourse with anyone in high school?

B. KAVANAUGH: Correct.

MACCALLUM: And is through what years in college since we're probing into your personal life there?

B. KAVANAUGH: Many years -- many years after. I'll leave it at that. Many years after. And this -- the people I went to high school with. The girls and the boys. Now, men and women that I went to high school with. You know, I was

good friends with them and we remain good friends. That's how 65 people in a moment's notice, 65 women [signed a letter of recommendation for me].

As awkward as this dialogue may be, it does an effective job at humanizing Kavanaugh to Fox viewership. This momentary peek into Kavanaugh's vulnerability and personal life is relatable to a significant amount of the Fox viewer base - older, more religious, conservative people. Celibacy until marriage is considered virtuous by the more religious right, and if Kavanaugh didn't have sex until much longer after his school years, the implication is that there is no way he could've had any kind of intimate contact with Dr. Ford in high school. He establishes himself as a virtuous, moral, friend to women with the support of both genders.

In a few instances and on only a few specific shows, the network uses the consequence frame to present the issue as a problem for the future and legitimacy of the Supreme Court, claiming that this scandal is going to prevent people from wanting to serve in government out of fear of facing an accusation.

So, I hope every Republican will be fair to Judge Kavanaugh, listen to what Dr. Ford says and render a good decision here. If he is denied a seat on the Supreme Court based on 35-year-old allegations and uncorroborated, who in the world will come forward in the future to be the judge? There's a lot at stake here. (Hannity, 2018b).

This frame, however, was used the most infrequently, and it was usually only aired on Sean Hannity's and Laura Ingraham's programs as a justification for the larger, more prevalent conflict frame. The impacts laid out by this frame would be called upon again when the show hosts focus on the conflict frame. There is no reason to go to war with your supposed enemy if

there aren't any stakes. Fox uses the consequence frame to provide the context with which to build upon and justify the call to action prevalent in the conflict frame.

MSNBC uses the conflict frame in a very similar way to Fox such as through war metaphors, character attacks, and us vs. them dichotomies.

Well, the battle lines are being drawn here, as Buffalo Springfield once said, Brian, and on one side of it are decent people, and on the other side of it are indecent people. And when you look at the president's indecency tonight, presuming that Jeff Flake, Susan Collins and Lisa Murkowski are all decent people, then they're going to be as horrified and offended as the rest of us.

(Williams, 2018).

Unlike Fox, however, MSNBC doesn't use the conflict frame to justify a figurative call to arms. Instead, they use the frame to further polarize and distinctively identify groups. Instead of using conflict to promote a call to action and further importance to the battle of the hearings, they use conflict to draw a line in the sand between who is right and who is wrong. This connection between morality and group identity is another method that news networks use to drive polarization, as I will describe in more detail in a later section.

MSNBC uses the human interest frame to a much greater extent. It doesn't use much of the consequence frame, however, preferring to merge it with the human interest frame to create more implied consequences (as compared to Fox's directly stated impacts such as the legitimacy of the court). MSNBC uses the human interest frame to draw emotionality and sympathy to the situation, usually through the form of calling on the experience of assault victims

You literally had this sense that if you're a woman and you're the one in three or one in four women in America who are assaulted and you marshal all your energy

and you try to get brave and you talk to therapist and you create a record and you hesitatingly come forward, at the end of the day when you put it all out there, and you're just going to get screamed at, and it was just – it was breathtaking in terms of the sort of whiplash emotion that was going on in that tiny little room. (Hayes, 2018c).

The frame is also used for virtue signaling and another brightline between the 'morality' of the left and 'immorality' of the right.

Nobody can predict what the Republicans will decide as a group. But I hope that at least some of them look into their conscience and do the right thing. It will take some backbone and grit and gumption to stand up to Donald Trump, but we are all hearing from the survivors of assaults all across the country that Dr. Blasey Ford has given them hope and inspiration and courage and fortitude and a vote for judge Kavanaugh will really be devastating in the disregard and disrespected demonstration and the kind of shame and silence that all too often causes sexual assault to be underreported. I hope my Republican colleagues will stand up and speak out. (Matthews, 2018b).

This quotation implies a lot of things: Trump is incorrect, Kavanaugh is guilty, Ford is correct in her recollection, Republicans are morally wrong. No factual evidence is provided for these implications, rather, the frame ties personal experience and personal perspective to morality. It is able to lump Trump, Kavanaugh, and the Republicans together as the bad guys because they all stand opposed to Ford, and women and Democrats can stand up as the good guys for backing her up. It is difficult to negate the claims of this kind of framing without sounding crass - no one wants to say that Ford's assault didn't matter, and in a scenario like this

where all of the evidence is hearsay, the lack of a clear moral brightline opens up space for networks like MSNBC to draw the distinction themselves.

While they don't come out and say it directly, the above examples of MSNBC's human interest frame also imply consequences. Namely, these impacts center around justice and the need for women to be heard. These consequences are more abstract than those touted by Fox which makes them harder to nail down in the consequence frame. It follows that MSNBC would try to present abstract consequences in a more abstract and implied way since it would not be as simple as calling for the continued support of the government like Fox does.

Framing and Polarization

Polarization is a function of the strength of group identity. Highly polarized individuals are more likely to have a stronger identity with the associated group because it reinforces their pre-existing beliefs and attitudes (Sollenberger, 2017). These kinds of causal relationships are at risk of spiraling into further polarization and extremism as the messages processed through the media create a reinforcing, cumulative effect (Slater, 2007). This creates a positive feedback loop where individuals seek out media that affirms their beliefs, and, in affirming their beliefs, strengthens their group identity and causes further polarization (Slater, 2007, Stroud, 2010).

Fox

Compared to MSNBC, Fox uses 'whatboutisms' and references conspiracy theories to a much greater extent. I argue that the main rhetorical function of these kinds of techniques are to further reinforce group identity and thereby increase polarization. Polarized individuals are more likely to selectively seek out media that confirms their beliefs, creating a steady viewership and

ratings for the network (Stroud, 2010). In other words, networks such as Fox and MSNBC want their viewers to be as polarized as possible towards the network's biases so they become much less likely to watch a competing network. News stations are, after all, businesses with the primary motive of increasing profit, and since the best way to do so is to establish a large and steady audience, networks are incentivized to create polarized coverage to discourage viewers from switching to a competitor.

Whataboutisms are logical fallacies that attempt to discredit an opponent by flipping an accusation around on them, usually in an attempt to call out hypocrisy without directly refuting the argument. They typically follow a structure similar to, "well, what about x?" in response to an argument or accusation.

So, if his lies about booze, which I do believe he fibbed about his drinking because he's talking about his drinking in front of his wife and kids. And I'm sorry, I do the same thing. When my wife asks me how much I drank over the weekend while she's away I say not much, honey. And she goes, yeah, right. So, the fact is, those lies have nothing to do with the actual accusation. But since we're talking about alcohol abuse, let's talk about the media and the Democrats who are obviously alcoholics because they completely blacked out the last five days. They do not remember that the third accuser has a history of lying and sexual misconduct claims, lying about her employment, lying about her education. (The Five, 2018c).

In this example, anchor Greg Gutfeld is using a few deflection tactics and whataboutisms to make Kavanaugh's drinking seem to be a non-issue. He starts by mentioning a personal example, using a highly relatable banter with his wife to excuse and deflect attention away from

Kavanaugh's lies about his drinking habits. Gutfeld then pivots to blaming the media and Democrats, calling them alcoholics and 'blacked out' to bring it back around to the drinking issue. He accuses the Democrats of knowingly supporting a liar. Of course, whether or not the Democrats actually do or do not support a potential liar has nothing to do with Kavanaugh's drinking habits. However, this technique allows Gutfeld to deflect blame away from Kavanaugh and onto the Democrats while mitigating the perjury and alcohol issues that started the discussion.

Whataboutisms and conspiracy theories are particularly effective tools in reinforcing group identity and polarization because they are unfalsifiable methods of creating group identity (Sollenberger, 2017). For example, when Laura Ingraham and her guests talk about how George Soros is funding liberal protestors to squash the Kavanaugh nomination, viewers are incentivized to believe him because they can't be proven wrong:

George Soros -- it's not surprising that George Soros is behind this. George Soros paid for the fake dossier. Paid Glenn Simpson in Fusion GPS so, he's connected throughout all of the left-wing activities in this country and around the world. It doesn't surprise me. What I would like to see, maybe a little consistency from these protesters. (Ingraham, 2018).

This kind of rhetoric creates an us vs. them dichotomy, implies that the in-group (Fox viewership) is on the moral high ground, and strengthens group bonds by creating an impetus to rally against the 'other'. When someone outside the in-group calls a member out on something such as this, it becomes very easy for the in-group to simply deflect the criticism, pointing to the biased left media or vast liberal conspiracy instead. This tactic flips the conversation from one about fact-checking or accountability to one about blame and moral equivalency (Fallon, 2017).

In this way, the in-group never has to be proven wrong, lending further credence to their beliefs and the fact that they are in the right (Sollenberger, 2017). This further allows polarized viewers to have a very high confidence and certainty in their beliefs because, after all, they've never been proven wrong, and in their view, they're on the right - i.e. moral - side of history (Stroud, 2010).

MSNBC

Conspiracy theories and whataboutism are not the only methods that can be used to create a highly polarized audience, but they are some of the more particularly salient ones especially in the case of Fox News and other right-leaning political outlets. MSNBC uses tactics that are a bit more subtle compared to Fox. While they do sometimes bring up conspiracy-style rhetoric in a similar way to Fox, MSNBC utilizes a much greater use of framing through narratives, leading the audience, and appeal to women/anti-sexist rhetoric. While these tactics are not quite as obvious as attacks or calling out your opponents for hypocrisy, they are just as effective and much more subtle in their persuasion. Instead of building polarization through outrage and identity like Fox tends to do more often, MSNBC polarizes its audience by encouraging viewers to elaborate on the issues through a specific lens provided by the network. This elaboration builds resistance to other arguments and a strong confidence in the viewers' own beliefs because they think they came up with the answers themselves - in reality, the 'answers' were fed to them by the network (Blankenship & Craig, 2006).

The predominant narrative that MSNBC uses to justify its portrayal of the hearing is that of a job interview for Kavanaugh.

You know, no one is entitled to a seat on the United States Supreme Court. This is a job application. And if everyone wants to get to the truth of this matter then an FBI investigation is the next logical step. (Hayes, 2018a).

And by the way, I want to emphasize that this is a job interview for Judge Kavanaugh. This is not some right that he has to get on the Supreme Court. And so in a job interview, one's character credibility and candor are on the line, and before all of this came to pass, I already has serious questions about his credibility and was not going to vote for him. But it is just totally appalling. (Hayes, 2018b).

By framing the hearings as interviews, MSNBC is able to dilute the larger, more complicated issues of the hearing such as the need (or lack of) for justice, hearsay, and partisanship into something more concrete, tolerable, and relatable for general audience consumption (Brugman & Burgers, 2019, Shenhav, 2006). By imposing a narrative structure on the events, the network is able to moralize the hearing around Kavanaugh's credibility and temperament instead of his qualification (Shenhav, 2006). The metaphor implicit in the job interview narrative creates a frame of reference on which viewers can base their political reality (Brugman & Burgers, 2019). While this doesn't necessarily create polarized attitudes in and of itself, the kind of representation present in the narrative is indicative of the perspective the network wants its viewers to interpret as reality (Shenhav, 2006). By presenting a narrative frame of the hearing as an interview, the conversation shifts to one about character over qualifications, meaning the audience is more likely to accept that kind of perspective as truth. While this kind of framing does not necessarily generate hostility against the right, it increases polarization by encouraging viewers to dig into a certain interpretation of reality that aligns with their previously held beliefs, making it more difficult to change their minds and engage in discussion about alternative issues.

Additionally, MSNBC often leads its audience to certain conclusions by providing commentary prior to video clips, telling viewers what they should expect to see and the

conclusions they should draw prior to seeing the video clip itself. In comparison, Fox anchors will often discuss the contents of a video clip after it has been shown, using the tactics outlined previously in their discussion.

Right. Let me go to you and look at how the judge, who knows more than most people about fact-finding in investigations, how squirrely he was. That's the nicest way I can put it. Take a look at him in the testimony in the hearing. Look. (Melber, 2018).

This quotation preceded a video containing a few clips of Kavanaugh's questioning and testimony in the hearing. Instead of allowing the viewers to draw their own conclusions and opinions of the content, the host tells them what the answers should be. Much like leading questions, this technique causes viewers to assume that the leading statements about the videos are true. Observers treat leading statements as evidence because conversational norms imply that the speaker - or in this case, news show host - must have an evidentiary basis for making such a claim in the first place (Swann, Giuliano, & Wegner, 1982). Thus, the premises embedded in the claims become conclusions and 'truth' in the minds of the audience (Swann, Giuliano, & Wegner, 1982). This affirmation increases confidence and polarization in a similar manner to Fox's techniques, just with a different method.

Whereas Fox makes several appeals to religious and family values, MSNBC makes emotional appeals much more frequently, except to women and progressive values. Usually, these appeals take the form of rhetorical questions or attacks against perceived Republican sexism and the 'old white male' trope.

You know, we're at a moment, obviously, in the country the sort of profound reckoning and awakening around questions of patriarchy, sexism, gender

inequities, what was today? What was the spectacle today that all of those men on the Republican side of that that day as Brett Kavanaugh, Dr. Blasey Ford, what message did it send? (Hayes, 2018c).

And Senator Graham has them change what they're doing. And after that from Senator Graham, this female prosecutor who was hired by the Republican side to do all of their questioning of both witnesses today, she never spoke again. So, they used the prosecutor today to ask all of their questions of the alleged victim in this sexual assault case, but they gave up after a couple of minutes with the alleged perpetrator of the sexual assault and spent the rest of the day telling him he had nothing to apologize for. They then shut out the female prosecutor for the whole rest of the day while the Republican male senators all went on one after the other the rest of the hearing making speeches on his behalf until the hearing ended. (Maddow, 2018).

MSNBC acts as a means to organize women's issues and consolidate the identity of the movement (Van Zoonen, 1992). However, it is up to the network to pick and choose how it wants to assemble the ideals and tenets of the movement, and the media is incentivized to structure around divisiveness instead of unity because it is more profitable. This again presents an 'us vs. them' dichotomy, only this time between 'moral' activist women and their supporters and everyone else (Van Zoonen, 1992). In general, the women's movement and women's issues such as systemic sexual assault and gendered hierarchies are so polarized and divisive because different media have constructed different interpretations of what constitutes legitimate politics. Asking for material resources such as equal pay is relatively new, but since it doesn't undermine the status quo, it is generally seen as more or less politically legitimate by both sides of the aisle

(Van Zoonen, 1992). Personal politics, on the other hand, like the Kavanaugh/Ford scandal, risk upsetting long-standing norms and structures, so these kinds of movements are viewed as less legitimate by conservatives.

Media and Polarization Spirals

The cycle outlined above leads to further cycles of polarized media use: the continued use of particular content strengthens beliefs and identities in line with that content, and those strengthened beliefs in turn cause viewers to seek out similar media, reinforcing their beliefs, and on and on (Slater, 2007). In many cases, media can serve as a mitigating factor to extreme beliefs; most people have open social circles and can use various media as a tempering influence to polarized opinions (Slater, 2007). In the case of political media, however, networks attempt to close off social circuits to disincentivize viewers from seeking out other perspectives, allowing and encouraging the spiral of polarization. These attempts to close off the group take the form of a cultivated culture of suspicion, group specific media, and the pointed exclusion of nonparticipants in group activities (Slater, 2007). Both Fox and MSNBC are guilty of this - they both promote themselves as the only trustworthy source in a media landscape owned by opposition, they both use targeted video clips and descriptions to appeal to the desires of the viewer base, and they both actively use panels on their programs that either don't include people of differing viewpoints or, if they do, that person is often forced out of the discussion or made to look foolish or unknowledgeable.

In some cases, these spirals can lead to people becoming what Morwitz and Pluzinski refer to as 'spin doctors' - people who have become so polarized that their expectations and beliefs lead them to process information in a biased manner (1996). In these cases, these viewers are already predisposed to a false consensus bias, believing that the rest of the general public

shares the same belief and value systems as they do due to overweighting their own assumptions (Morwitz & Pluzinski, 1996). After all, if all the media you consume is telling you one thing, and they tell you the rest of the country believes that same thing, without any outside mitigating factors, you're going to believe it. When a 'spin doctor's' view is threatened or attacked, their bias is so strong that it doesn't falter with competing information - rather, the person digs deeper into their own personal truth war (Morwitz and Pluzinski, 1996, Lazere, 2013). They are able to resolve their own doubts not by critical analysis of the available information but by challenging the inherent worthiness and truthfulness of conflicting information (Lazere, 2013).

I'd argue that the polarization of individuals by targeting a group identity is one method that networks use to construct a political reality. This reality, in turn, further drives polarization and identity struggles, causing viewers to turn back towards their favored network to be comforted by similar others sharing the same ideology. It is like a macro level cycle of the spiral discussed above, only this time, it is driven by the network's profit motive instead of an individual's need to have an identity in the world. The media is incentivized to project a highly polarized political reality in order to drive ratings.

Conclusion

Through careful framing of the issues present in the hearing, the networks are able to create distinct narratives of the key events. Despite the objective events being the same, viewers of polarized news networks would have incredibly different perceptions of the reality of the hearing. These frames are rooted in network bias and set the framework for other rhetorical

devices further on. The minutiae of each rhetorical tactic, for example, is based on the narrative frame that the network is trying to get across.

Fox's predominant use of conflict framing, whataboutisms, and conspiracies creates a story based in mistrust, one in which Democrats scheme and plot to destroy the nomination. Ultimately, it does not matter if Kavanaugh has flaws because the Democrats are just as bad (if not worse).

MSNBC's use of personal interest frames is evident in its appeal to women and indirect style of leading the audience towards a foregone conclusion. The answer is presented to the audience before they even know the question. Ultimately, Kavanaugh's qualifications do not matter because he lacks the temperament necessary to be a Supreme Court justice, and Republicans just enable this behavior.

Keep these frames in mind as we take a look at specific rhetorical structures and character. Each network's use of certain tactics should be considered within the context of the greater frame presented through the news.

Chapter 3

Rhetorical Devices

Overview

In this chapter, we will examine some of the specific rhetorical devices and techniques used by each network in their coverage of the Kavanaugh/Ford hearing. Obviously, each network has some tactics specific to themselves, but they also use a number of the same devices in very similar ways – albeit to different effects. In this paper we will examine Fox’s use of appeal to family and public opinion, MSNBC’s use of interview framing, appeal to women, and leading techniques, and both networks’ uses of rhetorical questions and military metaphors.

These devices are meant to be the meat of the networks’ persuasion. They provide the specifics of the hearing and narrative within the context of the larger frame, and they derive a significant amount of persuasive power from the networks’ interpretations of political ethos. Keep in mind, then, how these devices fit in and contribute to the network narratives as a whole.

Fox

One of the most common devices used by Fox is an appeal to family and family values. Constant calls to protect the safety of the family - brothers, fathers, sons, occasionally sisters as victims - are used to bolster calls for due process for Kavanaugh. If he is not treated fairly, the argument often goes, then there is nothing to stop your family from being treated unfairly as well.

Now, if I say that, people will say, oh, look, he feel so bad for the accused rapist.

And they'll say, like, what about the victims? I'm talking -- I'm talking about

somebody who is not getting due process. And I return to my point, which you have brought up, what about the men in your life? We talk about the victims and we care about the victims, but you've got to also care about the people who are presumed innocent. And those could be your brothers or your sons or your father's, and it could be your sisters. (The Five, 2018a).

The network also often highlights the judge's family as well, bringing up the toll this scandal is having on Kavanaugh's wife and two young daughters.

And while Judge Kavanaugh is standing firm, rightly demanding a fair process, it is so important to remember the toll that it also takes on a family. Again, where is the presumption of innocence? Let's take a look.

ASHLEY KAVANAUGH, WIFE OF JUDGE KAVANAUGH: It's very difficult. It's very difficult to have these conversations with our children, which we've had to have on broader terms or our youngest, but they know Brett and they know the truth. And we told them at the very beginning of this process, this will be not fun sometimes. You're going to hear things that people feel strongly and you need to know that. And just remember, you know your dad. (Hannity, 2018b).

This kind of rhetoric implies a certain set of values and provides an exigence that makes the call to action and defense of Kavanaugh more persuasive for Fox's target demographic. This target audience, as previously mentioned, is older conservatives, people who fondly remember the Nixon and Reagan administrations and lived amid the culture wars of the sixties and seventies. During that period of time, the dominant political rhetoric suggested that the collapse of the ideal American family would also collapse the nation - a strong family was necessary to uphold a strong nation (May, 2003). Political rhetoric during the Nixon and Reagan

administrations suggested that liberals were at fault for the unraveling of the nation because of their coddling of 'bad' families (May, 2003). For many people, this mentality persists well into today, and like during the culture wars, anxieties about the family are re-emerging due to the perceived identity threat to the upper/middle class (May, 2003).

In this instance, this threat takes the form of Dr. Ford and the accountability her accusations bring. She represents a movement of women that would upset the status quo - a movement that runs contrary to the ideal nuclear family norm endorsed by conservatives. By tying Ford and Kavanaugh to a call for family values, Fox is able to both persuade the audience ideologically as well as provide an out-group (that supposedly seeks to destroy the family) to rally against.

Fox also places a much larger emphasis on public opinion and polling data than MSNBC does. While MSNBC will often bring up an opinion poll maybe once an episode or so, Fox constantly refers to poll data to support Kavanaugh's popularity, or, in case of a potentially unfavorable angle, the network will play up the public opinion angle, claiming that 'everyone' is seeing evidence in favor of Kavanaugh. This usually happens multiple times per show, and anchors will usually make references to both actual polls (usually conducted by the network) and the court of public opinion. We can consider the following examples:

So this is taking a toll on the court of public opinion. Fox News poll out this morning says that 50 percent of those surveyed oppose Kavanaugh's nomination, 40 percent support. By slight plurality, more believe Christine Ford than Judge Kavanaugh, many undecided. (Kurtz, 2018).

I think as the evidence continues to come out, which the story changes constantly because this is just playing out in the media, playing out in the court of public

opinion, as the story is playing out, I think we are seeing mounting evidence in favor of Kavanaugh. (Kurtz, 2018).

In general, polls have the most persuasive effect when the data confirm audience expectations or when the data supports audience preferences if their expectations are different (Morwitz & Pluzinski, 1996). In other words, polls are most effective rhetorically when they can confirm expectations or support preferences.

In the above example, Fox's strategy on the usage of polls is two-fold. First, the speaker cites a Fox News poll that may either confirm or contrast the audience's expectations of the results of the hearing. Second, the speaker makes reference to Kavanaugh's support in the public, confirming the audience's preference that Kavanaugh is a good nominee and should be confirmed.

In either case, regardless of the audience's expectations, the strategy is rhetorically successful because Fox's audience largely supports Kavanaugh in the first place. Thus, the viewers have their expectations and preferences confirmed in the case they don't expect Kavanaugh to win. Alternatively, if the viewers expect Kavanaugh to win and the poll contrasts this, they're preferences are supported because the network claims that 'the public' agrees with their preference and will eventually turn the tide. Either way, Fox wins out by increasing the viewers' confidence in the network.

MSNBC

Apart from the general approach each network takes to framing the hearings, MSNBC takes a specific, repetitive approach to frame the hearings. There is constant mention to the

hearings as a job interview for Kavanaugh, mostly as opposed to a criminal trial. This allows the audience to process the event in a concise, familiar package, making them more likely to connect with certain justifications and reasonings the network presents (Scheufele, 1999).

And by the way, I want to emphasize that this is a job interview for Judge Kavanaugh. This is not some right that he has to get on the Supreme Court. And so in a job interview, one's character credibility and candor are on the line, and before all of this came to pass, I already has serious questions about his credibility and was not going to vote for him. But it is just totally appalling. (Hayes, 2018b).

Whereas Fox makes constant references to the court of public opinion and evidence, MSNBC's framing of the hearing as a job interview shifts the debate from one about evidence (or lack thereof) to one about conduct, suggesting a heart of the issue contrary to what Fox what have its viewers believe (Scheufele, 1999). Conceptualizing the hearing as a job interview brings up the question of whether or not Kavanaugh has the correct temperament and character to do his job as a Supreme Court Justice. Factual evidence becomes less important, and that is huge in a scandal that is basically all hearsay.

MSNBC also frequently aligns the scandal with the women's rights and #metoo movements, expanding the scale of the scandal to one on a societal level instead of one isolated incident thirty years ago. This is usually done by attacking the character of Kavanaugh and the male Republicans on the judiciary committee or by referencing women in bad relationships or as victims of sexual assault.

Well, let me say it was exhausting day, I think, for everybody, and especially for women who have had this experience and for women who have had relationships

with very angry men. And I think – I have listened to your commentary. I think you`re right. All of a sudden, we see a man transformed from a choirboy, who, up until now, has said, after hours in front of the committee, that he lived this very perfect life, all of a sudden, his anger is triggered. And what we saw today is someone who you could now see attacking a woman. It is very frightening. And I think your guest, who was so good and said, temperament is – temperament is so important for who you put on the court. (Matthews, 2018a).

Like the network does with the interview frame, this shifts the scope of the hearings to a much greater scale. The stakes are higher and more important if this scandal affects all women instead of just Ford. By implying that Kavanaugh’s nomination is a threat to women and a normalization of violence, MSNBC appeals to issues that are important, and thus persuasive, to its base audience.

As mentioned in the previous chapter, MSNBC will frequently lead its viewers by providing commentary prior to video clips to frame the message around a job interview for Kavanaugh. For example:

Watching from home, just watching on a screen, one of the things that surprised me about Judge Kavanaugh that I didn’t expect is he seemed not just angry and aggressive, but like he was having trouble controlling himself, trouble controlling his impulses, including in that interaction with you and the subsequent apology. (Maddow, 2018).

Here, Rachel Maddow is explaining what is going to happen in the video clip before the audience gets to see the clip for themselves. The clip is an outtake from Kavanaugh’s jab at a senator during the hearing, and Maddow interprets the meaning behind his behavior before the

audience is able to make that interpretation. Because she is a trustworthy figure in the eyes of MSNBC viewers, they are more likely to accept what she says as true instead of thinking critically on their own, and the vision she provides is one where Kavanaugh's temperament is what most disqualifies him for the position. Like a job interview, if you have the qualifications but a poor and untrustworthy demeanor, you have less of a chance of getting the job. By leading the audience to this conclusion, they are likely to accept this as the predominant frame for the hearing.

Similarities

Despite their differences, Fox and MSNBC use a number of the same rhetorical devices in similar ways. The end goal is different as the networks want to persuade the audience of different things, but in some cases, the methods they use are almost the same. For example, both networks use rhetorical questions to increase persuasion and attitudinal resistance through message processing (Blankenship & Craig, 2006).

But, you get the point that they're getting strung along from the driving, to the footsie, to the not returning the phone calls. It's all about delay. And it makes you think do they really care about getting the truth out or do they care about delaying? (The Five, 2018b).

In this instance from Fox, the show anchors pair attacks against the Democrats with a rhetorical question, basically providing the answer to the question in the previous statements. By pairing attacks with questions, the network is able to give the audience an implicit defense - i.e. the Democrats just want to delay, they don't care about the truth - and this is especially

persuasive because the audience is confident in this reasoning, not realizing that the answers were given to them instead of coming up with them on their own (Blankenship & Craig, 2006). This also helps build resistance to counterarguments for much the same reason: the rhetorical question promotes message processing, thus viewers think they came up with these reasonings on their own, thus they have high confidence in their attitudes making them resistant to change (Blankenship & Craig, 2006). In this specific example, the core of the message is that the Democrats are the bad guys. Implicit in the question is the notion that the Democrats do not care about the truth because they know it doesn't support them, so they are trying to stall the process. In essence, viewers are further persuaded by this kind of message because they believe they came up with these messages themselves.

The method for MSNBC is very similar. The following quotation is similar to what Fox does with rhetorical questions, but instead of explicit character attacks, there is an attack against Republicans and Kavanaugh implicit in the questions.

Does lying matter? Does integrity count? Can a sitting federal judge make dishonest statements about small and trivial things and get onto the Supreme Court? (Williams, 2018).

Implicit in these assumptions are claims that Kavanaugh is lying, lacks integrity, is fundamentally dishonest, and Republicans are willing to shield that to get him on the Supreme Court. This has a very similar rhetorical function and result as in the Fox example. However, MSNBC does not feed messages explicitly as often as Fox does. Therefore, messages like this would have a more persuasive effect because they require greater message elaboration and processing, meaning viewers of MSNBC may be somewhat more resistant and/or confident simply because they elaborated on the messages more.

The two networks also make frequent use of military metaphors, comparing the hearing to battle between Democrats and Republicans and Kavanaugh and Ford. War metaphors serve the purpose of polarization, but the image of reality promoted by militaristic language enhances persuasion based on ideology (or political team) because the use of the ‘us vs. them’ language creates both enmity and unity (Parry-Giles & Parry-Giles, 1999). In this example, Fox abstracts politics to war and claims the Democrats have gone rogue.

Look, the Democrats have gone off the grid. They are operating outside the legal system. There’s no legal basis on which to reject Judge Kavanaugh based on this testimony. They are outside the political system of advice and consent. The game here is to defeat this nominee to the Supreme Court. And I think the Republicans, the White House should understand what Judge Kavanaugh understands, that this is a war, and over the next six or so days as the FBI takes on this sort of big- leap investigation, they should be prepared to have anything fired at them, any argument made, any new accusation, because the deal here is to stop this nomination. (Gigot, 2018).

In this example, MSNBC abstracts sides of a battle into good and evil, with the Democrats implied as the ‘good’ people and most Republicans as ‘bad’.

Well, the battle lines are being drawn here, as Buffalo Springfield once said, Brian, and on one side of it are decent people, and on the other side of it are indecent people. And when you look at the president’s indecency tonight, presuming that Jeff Flake, Susan Collins and Lisa Murkowski are all decent people, then they’re going to be as horrified and offended as the rest of us. (Williams, 2018).

Metaphors in general can emphasize problems and create moral evaluations, and they do so here as well (Brugman & Burgers, 2019). Fox uses a lot of war and battle language to really drive home hostility and emphasize how important it is that Kavanaugh be confirmed to the court. By comparing the hearing and nomination to a war, they create a call to action among their audience and within the whole realm of politics to support Brett Kavanaugh.

MSNBC, on the other hand, uses the war language to create a moral imperative to oppose Kavanaugh. It's not so much a call to fight as Fox's is - rather, the network wants its viewers to sympathize with Ford's plight by painting the Republicans as bad people. Overall, while both networks use war metaphors to similar effect, Fox does so through offensive language while MSNBC takes a more defensive, protective approach.

Conclusion

The political biases of each network are evident in the devices unique to their respective programs. Likewise, these specific devices are more persuasive to the audience because they are also in-line with the audience's expectations, beliefs, and biases.

Fox's heavy emphasis on appealing to conservative values such as family is uniquely persuasive to its core viewer demographic. Unlike viewers of MSNBC, Fox's more conservative demographic would be much more persuaded by appeals to traditional values because it is a core part of their political beliefs. On the flipside, MSNBC's appeal to women and #metoo is not at all persuasive to the conservative viewership, but for a more progressive audience, the persuasive value comes with this appeals break from tradition.

The other unique devices, polling data, leading, and issue-specific framing, are not necessarily tied to core political beliefs like the above tactics are. In fact, all of these tactics are used by both

networks to some extent because they are more generally persuasive. However, we singled them out as ‘unique’ in this paper because the networks use one significantly more than the other. For instance, MSNBC does use polling data, but it is usually a quick reference in support of a larger argument while Fox uses polls as the argument itself.

The similar devices, rhetorical questions and military metaphors, are so widely applicable that it is no surprise that both networks use them to a similar extent. As previously explained, they increase message processing, build resilient attitudes, and provide a cause and exigence to rally around. These are key persuasive elements for any kind of persuasion campaign, not just in political news.

Chapter 4

Character and Ethos

Overview

In this chapter, we will take a look at the networks' uses of character and evaluation of credibility. The most blatant and obvious use of character, for both networks, takes the form of personal character attacks or ad hominem. These attacks are leveraged against anyone and everyone from Kavanaugh and Ford themselves to key political figures to the abstract idea of the opposing political party as a whole. In general, these attacks serve as quick persuasive cues that tie up moral value with character and, by extension, persuasion. It is much easier to convince an audience when the opposition is morally defunct and untrustworthy.

Networks use personal character to construct a political reality through which they can persuade their viewers because, as we will see, television news is an especially conducive outlet when it comes to the valuation of moral character and norms. This is an important consideration for us as viewers to be aware of – we must be able to separate truth from fiction, especially as far as character is concerned, in order to critically evaluate the arguments the news is feeding us.

Ad Hominem Argumentation

Both Fox and MSNBC use ad hominem and personal attacks against the opposing political side to the greatest extent compared to other rhetorical devices and persuasive tactics. These attacks act as a screen through which viewers can easily and quickly form evaluations about political subjects (Jonston Conover, 1981). This is because, to a polarized audience, only

the mere premise of the claim needs to be plausible since the audience is already predisposed to accepting a certain belief (Zurloni & Anolli, 2010).

In the context of political media, ad hominem argumentation feeds from and contributes to polarization, and thus it is most effective when the attack is based in a political culture that is derived from (im)morality (Borovali, 2018; Goren, 2002). The attacks presented by the networks strike directly at the morality or lack thereof of their counterparts - it presents an easy reason to discredit the opponent. These attacks then serve to favor the person - or in this case, network - instead of the argument. The ad hominem allows the discussion to shift away from neutral discussion to a favorable position by exploiting the weaknesses of the opponent and strengths of the platform (Zurloni & Anolli, 2010).

In the simplest terms, ad hominem attacks used by the networks directly attack the moral character of the other side instead of responding to the rightness/wrongness of a claim itself. They contribute to polarization because, in ad hominem culture, the costs of being in the outside group are high since the opponent is constantly attacking anyone in the out-group. In this atmosphere of social division, internal disagreement becomes stifled, and self-criticism or attempts to compromise are viewed as suspect. Thus, in-group members are disincentivized to think independently and are motivated to seek allies within the group, the easiest method of doing so being to attack the 'others' (Borovali, 2018).

Democrats, they are sadly putting politics above the rule of law. It is sad to watch.

It is dangerous for the country. No due process, no presumption of innocence.

And according to the left wing in this country, Judge Kavanaugh is guilty by accusation. (Hannity, 2018a).

In this example, Sean Hannity is using personal attacks and the appeal to law and order in conjunction to simultaneously bolster his own credibility by appealing to a trait popular with his audience and putting down Democrats by framing them in opposition to this value. Instead of responding to the left's general claim that Kavanaugh's behavior should be investigated, Hannity reframes the discussion to the Democrats moral failings. It does not matter if Hannity should be investigated because 'guilty until proven innocent' is a central tenet of our country, and the Democrats want to destroy it, therefore they are bad. Look at the evil Democrats instead of Kavanaugh's questionable behavior.

The following quotation from MSNBC uses a similar approach, substituting an appeal to law and order with violent metaphor language as discussed in the previous chapter.

The institutions of the country, wherever you look, are under assault. They`re under assault by Trump. They`re under assault by Mitch McConnell. They`re under assault through the complicity, the acquiescence, the silence, the cowardice of a corrupted political class. (Williams, 2018).

The referenced 'political class' is implied to be the Republicans as evidenced by calling attention to Trump and McConnell. Where Fox tries to distract from the issue of the hearings by shifting to attacking Democrats, MSNBC uses the attacks to highlight the moral failure of the hearings by connecting Kavanaugh's alleged guilt to the rest of the Republican Party. In an odd way, Hannity was correct - MSNBC frames Kavanaugh's guilt by association to the Republican Party, not by his association to Ford.

Political Cues

For both networks, the primary function of these attacks is not to be persuasive in and of themselves. Rather, the attacks serve as primers for the previously mentioned framing methods and rhetorical devices whose primary purpose is to be persuasive. There are fallacious claims and counter arguments on both sides, but it is easier to convince a viewer to ignore those pitfalls if they are polarized towards both a moral and political standpoint.

In the context of political media, where the networks attack each other and the opposing political view more frequently than they do anything else, ad hominem attacks are the most frequent and important political cues that networks use to shorten the information processing patterns of their viewers. Having these cues is very important to the networks because in order to keep a polarized, and thus stable, viewership base, they don't want the audience to have to think too in depth - they want the audience to easily accept the messages they are broadcasting.

These attacks function in the public discourse as stereotypes (the lazy liberal, the uptight conservative, etc.), and when we evaluate political messages broadcast by political news networks, we can see that these stereotypes originated from the networks themselves to create an easy attack (Jonston Conover, 1981). These attacks and stereotypes are always incredibly negative and accusatory because negative cues on morality in character carry more weight in our society where good or average behavior is seen as the norm (Goren, 2002). Stories about good things people do don't stand out nearly as much as stories about tragedy or horror, and this is the same for personal character.

Let's take a look at some examples of the networks' use of cues as a shortcut to ad hominem style effects. In this example, the attack isn't against the Democrats directly. Instead, it

uses the term ‘Democrat’ as a cue to shortcut the viewers’ processing into making the Democrats the bad guy.

This can’t become a fishing expedition like the Democrats would like to see it be.

Look, I think you have to go back to the very beginning of day one of when President Trump nominated Judge Brett Kavanaugh. From that very first moment before any of these allegations were brought up, Democrats said they were not going to support him, they weren’t going to vote for him and they were going to do everything within their power to fight him. (Wallace, 2018).

If you look at just the words in the quotation, there isn’t actually any directly stated attack. From the words alone, it is a description of the behavior that Fox expects of the left. Because Fox constantly promotes the idea that Democrats are evil, morally defunct obstructionists, however, the subtext of this quotation is that the Democrats are once again scheming to stop a legitimate move by the Republicans and stripping a good man of his chance to sit on the Supreme Court.

It is much the same case in this example from MSNBC, just flipped with the ‘good’ and ‘bad’ guys.

And what was so interesting was the effort to kind of turn this around into being about the Democrats in process when, in fact, since the summer this whole process has really been about the Republicans and their refusal to let us get the facts, it’s the Republicans who have obstructed us getting to his record and kept thousands of pages of documents away from us, it’s the Republicans who have refused to have an FBI investigation to get to the bottom of this, it’s they who created this as a he said/she said pageant today. (Hayes, 2018c).

Again, like with the Fox example, for the most part, this quotation doesn't actually attack the Republicans or directly state moral failure. Granted, the language in this passage is much more strongly worded, but this is just further emphasis for the implied attack. The subtext of this quotation is that the Republicans are evil, morally defunct obstructionists, and the Republicans are once again scheming to get another one of their plants into one of the highest positions in government. See the similarities?

Evaluation of Ethos

How, then, do the networks evaluate the credibility and ethos of key figures, and how can we as viewers separate reality from exaggeration? Let's first take a look at how networks use their rhetorics to build (or destroy) ethos, then examine how network biases impact viewers, and finally consider how we can discern truth out of a near constant stream of bias and agenda.

On the top, meta level, the news projects a fictionalized representation upon which public discourse is built. Our media and political institutions shape and depend on each other to express political culture and our political leaders in a way that is both beneficial to the leaders themselves as well as profitable for the networks (Parry-Giles & Parry-Giles, 2002). Thus, there is a need for the media to report through the familiar framework of 'good vs. evil' because it is easily consumed and comfortable for the viewers, profitable for the networks, and politically expedient for political leaders (Parry-Giles & Parry-Giles, 2002).

With that in mind, television is an especially conducive outlet for this black and white kind of reporting. Personal and moralistic traits of candidates and political figures are much more salient in television news as opposed to newspapers because TV produces the candidate as a

person and not just an abstract, imagined being that we construct in our heads from reading (Keeter, 1987). In fact, studies have shown that TV news encourages vote choice based on personal qualities rather than political stance or platform more than any other outlet (Keeter, 1987). Granted, the Kavanaugh/Ford hearings did not center on an election, but much of the same analysis of the importance of personal character can be applied. The hearings and news surrounding them created an entire media spectacle that dominated public discourse for over a month. People chose sides in the hearing much like they do during elections. Perhaps most importantly, the hearings were so politicized that they became less about the truth and more about the credibility and character of the people involved, much like how in an election personal scandals seem to carry much more weight with voters than candidate platforms.

In the construction of credibility in the media, then, we should consider the influence of norms perpetuated by each network that contribute to or detract from ethos (Bondy, 2016). Obviously, these norms follow along with the respective political ideology of each network, and if you don't follow the norms, then you are considered morally wrong because the strength of party (and therefore network) identity is dependent on impressions of character weaknesses that run counter to party (and therefore network) motivations (Goren, 2002). Anything that threatens the agenda is considered morally wrong even if the perceived threat has nothing to do with morals in the first place. This makes it easy for the networks to construct heroes and villains in their narratives because they can reduce the most complex actions and motives down to simple right and wrong based on whether or not they fit the dominant network narrative. This also means that networks are always biased towards negative information because immorality weighs heavier than morality and because we as an electorate and audience have learned to rely heavily on the presence of perceived flaws when making political decisions (Goren, 2002).

How can we as viewers determine what information is true versus which is network bias?

In our current mediascape, all of the information thrown at us from TV news is biased in some form. Unless you are watching live footage from C-SPAN or PBS, there is always bias hidden or explicit in the coverage. We should remember then, that sometimes biases are justified and that just because information is biased, it does not mean it is entirely false. The validity of an argument based on character can be determined by whether the premises of the argument are rational and whether the speaker provides good inferential support for the conclusion (Bondy, 2016). For example, the claim that Kavanaugh is dishonest because of his refusal to answer questions during the hearing and his lying under oath, while potentially biased, is not necessarily untrue. The premise of the argument is rational and is supported by his behavior during the hearing. The claim that Ford is dishonest because she said she refused to fly but took a plane to the hearing, however, is not valid. The premise of the argument is irrational because you can be both afraid to fly but also have to, and it is not supported by other inferential information in this case. In any case, character arguments based on unjustified biases will always violate the rationality premise and should be discarded (Bondy, 2016). However, it is crucial for the health of our democracy that we as a viewership try to sift through the chaff.

Conclusion

Where framing is the meta-level of persuasion and rhetorical devices are the base, character and ethos provide the foundation from which framing and specific tactics can build from. While not necessarily incredibly persuasive in and of themselves, character attacks and cues serve as processing shortcuts that allow the audience to draw quick connections between

reliable and unreliable figures. Credibility, after all, is one the most important aspects of persuasion – if a speaker is not credible, you will never listen to what they have to say. That is why it is so important for these networks to construct a reality in which their side is the only credible one and the opposition is inherently untrustworthy.

As explained above, ad hominem attacks draw on other rhetorical tactics so that, when used in conjunction with character and morality, they can destroy the credibility of the opposition. In this way, these attacks can be used as quick cues and shortcuts to quickly signal credibility or lack thereof to the viewership. These constructions are used by great effect to build up the frame and specific rhetoric. In many ways, each of the chapter focuses outlined in this paper contribute to and draw from one another.

As viewers, it is critical that we maintain an objective view of the news especially as it pertains to politics for the health of our democracy. In our digital age, bias is unavoidable. Thus, we should know how to evaluate source bias in order to determine when an attack or technique based in bias should be considered valid.

Chapter 5

Conclusion

In this thesis, we took a look at media rhetorics, bias, and polarization in the context of the Kavanaugh/Ford hearing. First, we considered how television news networks use different frames and framing techniques to craft the theme and overall narrative surrounding the Kavanaugh/Ford hearings. The conflict, human interest, and consequence frames are used to set the background for the coverage. Through these frames, the networks are able to portray Kavanaugh as a tragic hero or slimy liar or set the hearing as a job interview or a trial in the minds of the viewers. News frames also function as polarizing devices through the constant framing of whataboutisms and conspiracy theories or narratives and leading statements, depending on the network. By framing out opposition and contrary issues as the networks do, they are able to create cycles of polarization that lead to highly resilient viewers who are unwilling to seek out alternative interpretations of events, ultimately staying loyal to their network of choice.

Next, we took a look at some of the most important rhetorical tricks and devices used by each network. Fox has a heavy focus on appeals to family values and references to public opinion and polling data in order to provide a reason for the rhetorical battle against Democrats/Ford and persuade their viewers they are in the right by appealing to their expectations. MSNBC frequently appeals to the #metoo movement and women's rights, and they constantly structure a narrative of the hearing as a job interview for Kavanaugh by leading the audience to the conclusion through video clips and interpretive commentary on those clips. This

lessens the burden of factual evidence, heightens the importance of the conflict, and provides a lens through which viewers can look at the hearing, generally taking a much more macro approach to persuasion than Fox does. However, many of the techniques the networks use are the same such as rhetorical questions and military metaphors, both of which are used to cast doubt on the other side and drive polarization by painting an ‘enemy’ and a cause to rally against.

Finally, we examined the networks’ use of character attacks and political cues in their weaponization of network bias. In summary, the networks tie character to moral worth and use personal attacks as shortcuts to quickly cast doubt on anything the other side may say. These attacks and cues are not persuasive in and of themselves; rather, they function as primers to make the networks framing methods and rhetorical devices more persuasive than they would be without. Television is a unique outlet for this kind of tactic because TV viewers are uniquely predisposed to placing a higher value on character traits. This means that weaponization of network bias is incredibly effective at constructing a polarized political reality.

The goal of TV news networks is profit - not a healthy democracy, not a healthy public discourse, and not a fair and just political process. In knowing that motive, it makes sense that the networks would be trying to drive polarization in order to create a steady viewership base from which they can drive profit. However, we as a general public must be aware of this. The effects that polarized news has had on public political discourse are obvious: lack of compromise, enemies behind every corner, conspiracy becoming part of daily conversation, tribal politics like sports teams, the list goes on. For the sake of a healthy democracy, we as viewers need to be aware of the tactics networks use during major political events like these hearings. It becomes crucial that we see through the polarizing tactics to try to discern whatever measure of objective truth we can in order to think critically about our political stances. After all,

as previously stated, our political institutions and media depend on each other - a polarized media and polarized government constantly feed off of each other. Unfortunately, the burden falls on us as citizens and voters to be aware of these pitfalls. However, if we are aware of polarization tactics and can better equip ourselves to see through them, there may be hope for a less tribal political system. No matter what side of the aisle you are on, everyone can agree that political events such as this hearing would have been much better if we all could have heard the facts without being burdened down by opinion.

When considering future research on polarized media, there is a lot of room to explore further than this paper. Considering the importance of moral character in today's politics, further research into how character and values drive media framing could be valuable. It would provide another top-down lens through which we could view political and media conflicts. Additionally, the rhetorical techniques highlighted in this thesis are by no means an exhaustive list. I focused only on a few important devices, but a whole entire thesis could be written solely on network rhetorical structures like leading questions, general metaphor use, and others not mentioned in this paper. This paper also only took a look at one popular example, that being the Kavanaugh/Ford hearing. There is a wealth of literature on controversial Supreme Court nominations, but it mostly focuses on the political side instead of the media side. There is room for more work that looks at the influence of the media on these controversies as well as how media tactics may change for different political events (presidential press briefings, day-to-day Congressional activities, etc.).

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January 2019 - Present

- Thesis written on rhetorical techniques of polarized media in the context of the Brett Kavanaugh/Christine Blasey Ford hearing and its effect on public political discourse
- Coding of relevant media programs, analyzing differences in the application of similar techniques/devices, conducting background research on the development, history, and effects of polarized media on public discourse in the US

Research Assistant – Allison Niebauer

August 2019 - Present

- Research topics include community harm and resilience regarding clergy sex abuse in the Altoona-Johnstown diocese
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PA Office of the Attorney General Philadelphia, PA

Consumer Protection Intern

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- Researched company information online and in Practice Manager database
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AWARDS & HONORS

- Sixth Speaker in LD Debate at the Gorlock Gala, January 2019
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PRESENTATIONS

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RELEVANT CLASSES

- CAS 201 Rhetorical Theory, Dr. Bradford Vivian
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- Participant in Lincoln-Douglas Debate, Parliamentary Debate, Persuasive Speaking, Impromptu Speaking, and Extemporaneous Speaking
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Penn State Mock Trial Team

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- Fulfilled attorney role at invitational and regional competitions
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- Worked alongside witness roles to develop direct and cross examinations
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