

The Alito Nomination

How the Media Covered the Alito Supreme Court Nomination

How did the media cover President Bush's nomination of Judge Samuel Alito Jr. to the Supreme Court? This report examines the coverage of Judge Alito during the first 40 days after Bush named him on October 31st, on the ABC, CBS, and NBC evening news shows and in the first section of the *New York Times*. We also compare the coverage of the Alito nomination with that of the recently confirmed Chief Justice John Roberts and failed nominee Harriet Miers.

Major Findings:

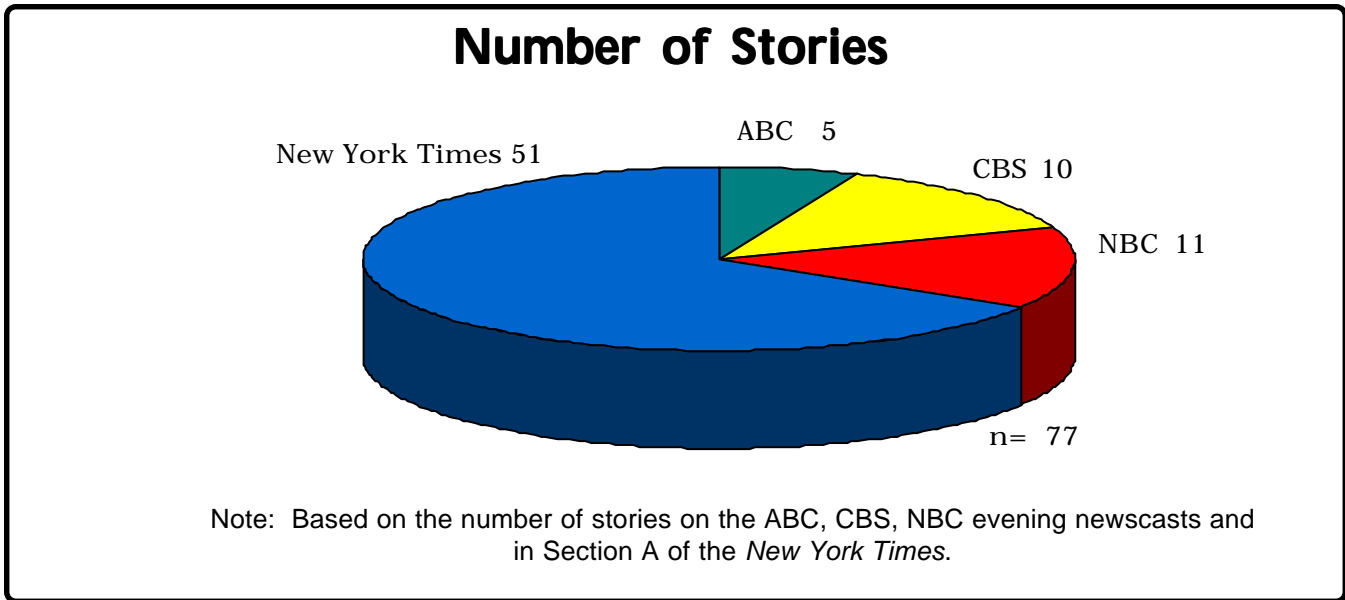
***Good Press** A majority of sources supported Judge Alito's nomination on the broadcast networks and in the *New York Times*. *Page 3*

***Better Press** Nonpartisan sources supported Alito's nomination by a 3 to 1 margin. *Page 4*

***Best Press** Alito's good press trailed that of Judge John Roberts, whose nomination garnered 3 to 2 positive comments, including almost 9 out of 10 among nonpartisans. *Page 5*

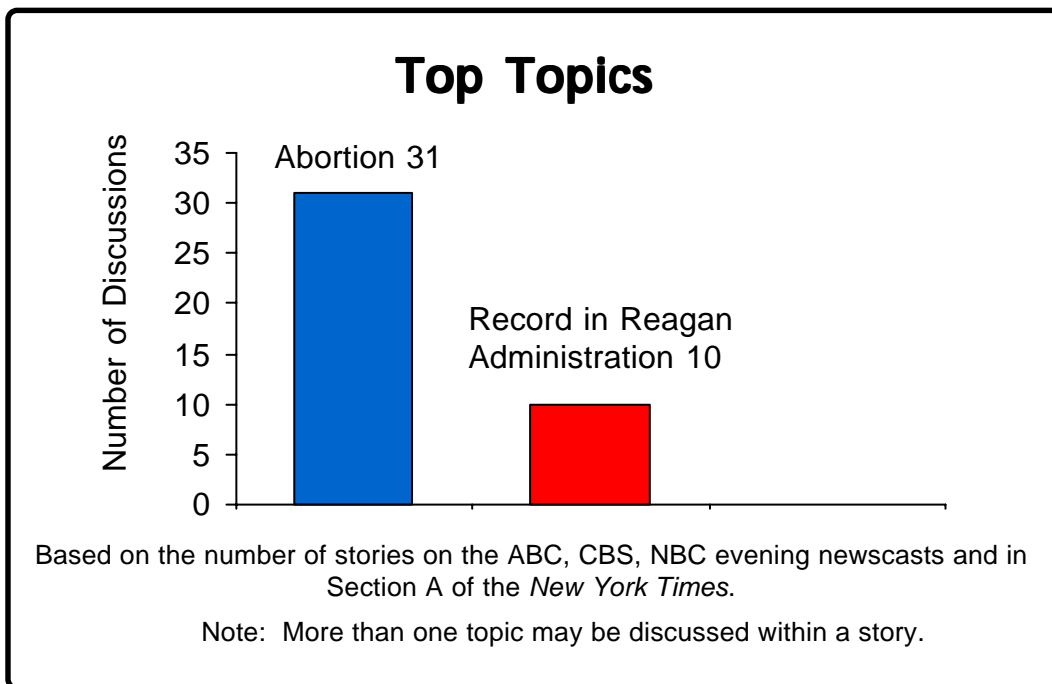
***Worst Press** The nomination of Harriet Miers was criticized by majorities of Democratic, Republican and nonpartisan sources. *Page 5*

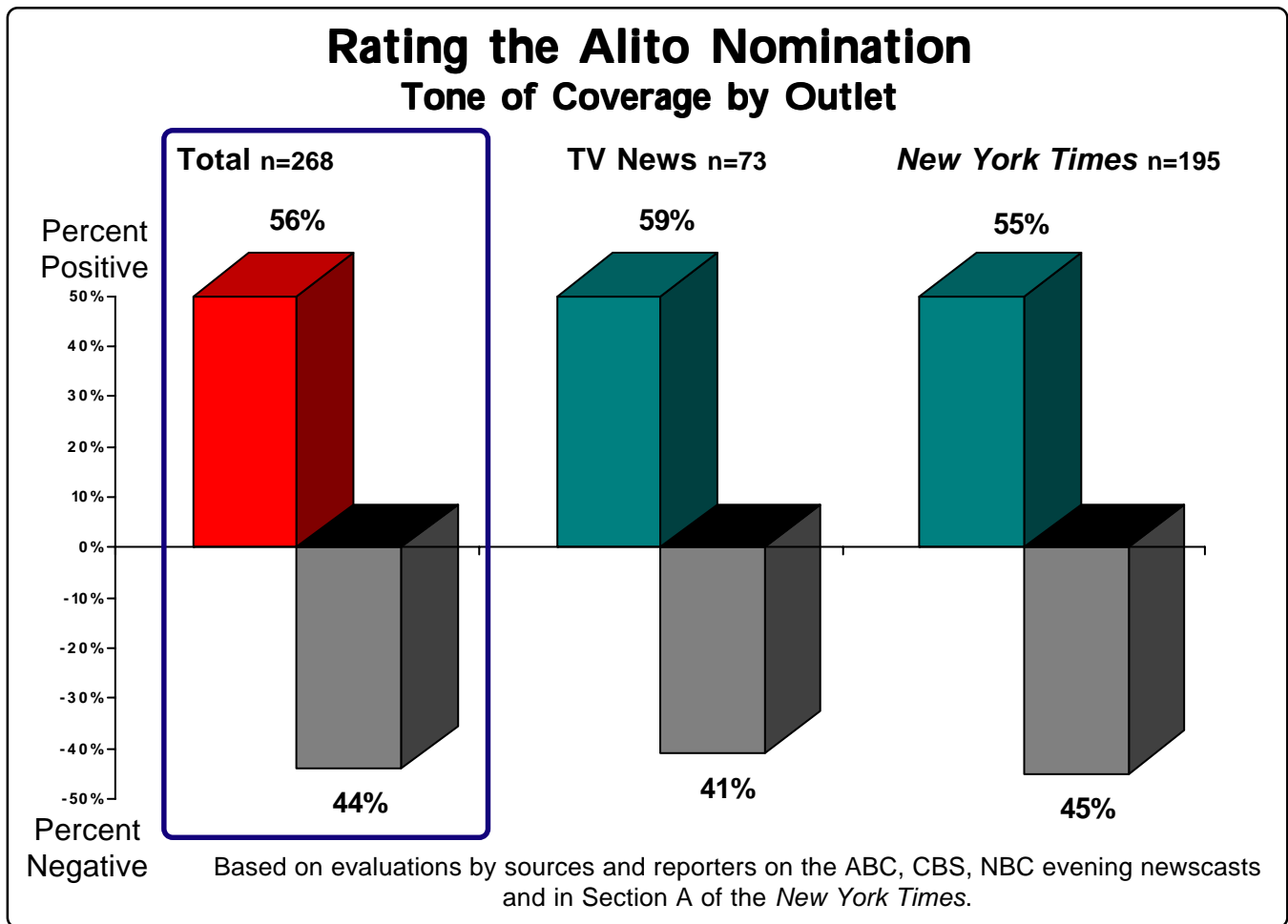
***Pressing Issue** The abortion issue was raised in 40 percent of the stories covering Alito's nomination. Abortion was also the top issue in the Roberts and Miers coverage. *Page 2*



The *New York Times* carried almost three times as many news stories about the Alito nomination as all three nightly network news shows combined.

Discussions about abortion rights were discussed in 31 of the 77 stories (40%) about the nomination. No other specific issue discussion was covered in more than 10 stories.





During the first 40 days after he was nominated, 59 percent of on-air evaluations of nominee Judge Samuel Alito Jr. were positive on the network evening newscasts, as were 55 percent of those in the *New York Times*.

Example:

“...[E]verybody believes that Sam Alito is clearly qualified. He’s served on the federal bench for 15 years; he’s written over 300 opinions.” *Gloria Berger, CBS, 11/01/05*

“...[T]otally capable, brilliant, and nice.” *Larry Lustberg, a former federal prosecutor who has known Judge Alito for 22 years, New York Times, 11/01/2005*

Rating the Alito Nomination Tone of Coverage by Source

	Percent Positive	Percent Negative	n
Partisan*	46%	54%	180
<i>GOP/Conservative</i>	96%	4%	75
<i>Democrats/Liberal</i>	11%	89%	105
Nonpartisan**	76%	24%	88

*Partisan sources are identified with one of the major political parties or with interest groups or individual sources identified as being conservative or liberal.

**Nonpartisan sources are those not identified by party or ideology.

When sources were identified by party or ideology, 96 percent of evaluations by conservatives and Republicans favored Judge Alito’s nomination, while 89 percent of judgments from sources labeled as liberals or Democrats opposed him.

Nonpartisan sources praised Judge Alito three times for every one criticism (76% favorable). (Nonpartisan sources included all journalists, judges, legal scholars etc. who commented on the nomination and were not identified as liberal, conservative, Democrat, or Republican.)

Example:

“The selection of Judge Samuel A. Alito Jr. for the Supreme Court drew immediate opposition on Monday from abortion rights groups who argued that he would fundamentally shift the balance of the court and open the door to major new restrictions on abortion.” *Robin Toner and Adam Liptak, New York Times, 11/01/2005*

“... [Alito is] that somebody who displays the kind of respect for the views of others that he does in other settings. You can expect that he’ll continue to do that on the bench.” *Mr. Edward Hartnett (Seton Hall University School of Law), CBS, 10/31/2005*

Comparing Coverage of the Three Nominees (Percent Positive)

	Alito	n	Roberts	n	Miers	n
Total	56%	268	59%	228	46%	410
Broadcast News	59%	73	69%	42	43%	146
<i>New York Times</i>	55%	195	57%	186	48%	264
Partisan*	46%	180	50%	177	40%	339
<i>GOP/Conservative</i>	96%	75	91%	84	43%	297
<i>Democrats/Liberal</i>	11%	105	16%	93	19%	42
Nonpartisan**	76%	88	88%	51	69%	71

*Partisan sources are identified with one of the major political parties or with interest groups or individual sources identified as being conservative or liberal.

**Nonpartisan sources are those not identified by party or ideology.

Although Judge Alito received a majority (56%) of favorable comments, he finished behind current Chief Justice John Roberts in the race for good press. During a comparable time period, Roberts received 6 out of 10 positive judgments (59%) overall, and almost 9 out of 10 positive comments (88%) from nonpartisan sources, compared to 3 out of 4 positive (76%) for Alito.

Alone among the three nominees, Harriet Miers received more criticism than praise (46% positive judgments) overall, as well as from both partisan and nonpartisan sources. The most notable aspect of her coverage was the majority of negative comments from Republican sources (only 43% positive), compared to over 90 percent positive for Alito and Roberts. In addition, the heated argument over her nomination is reflected in the amount of debate that appeared in the news - nearly as many evaluations (410) as there were for Roberts (228) and Alito (268) combined.

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