

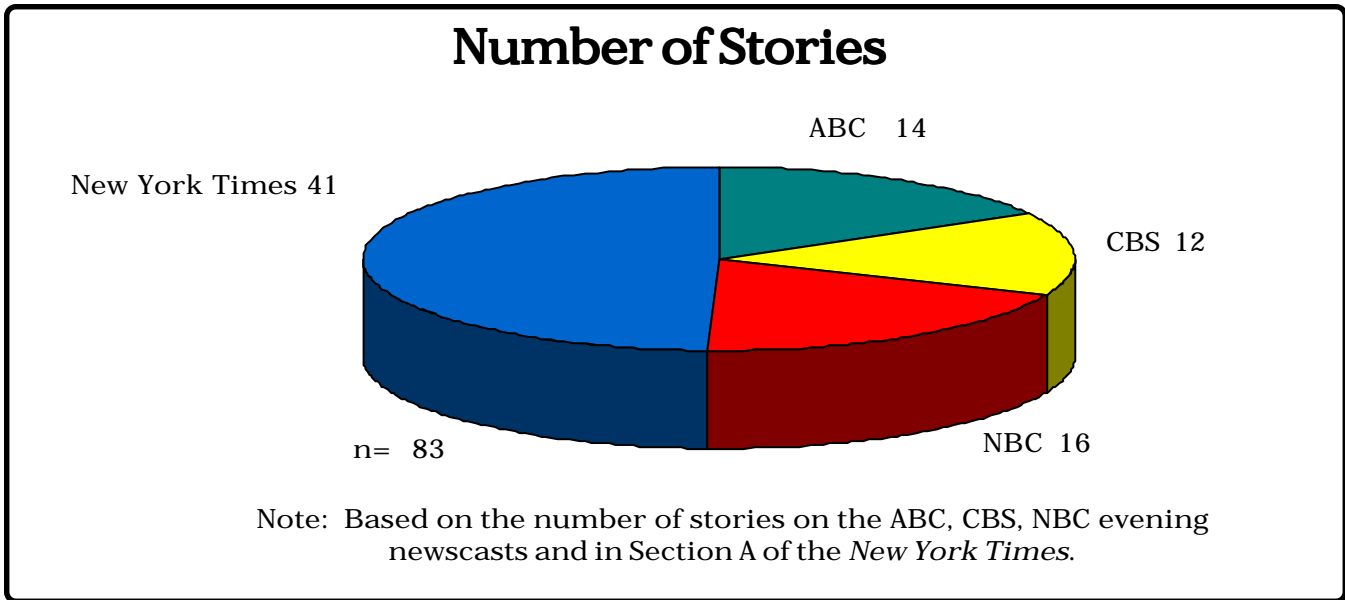
## There Goes the Judge

### How the Media Covered the Miers Supreme Court Nomination

How did the media cover President Bush's nomination of Harriet Miers to the Supreme Court? This report examines the coverage of Ms. Miers from her nomination (10/3) to its withdrawal (10/27) 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 Miers nomination with that of Chief Justice John Roberts.

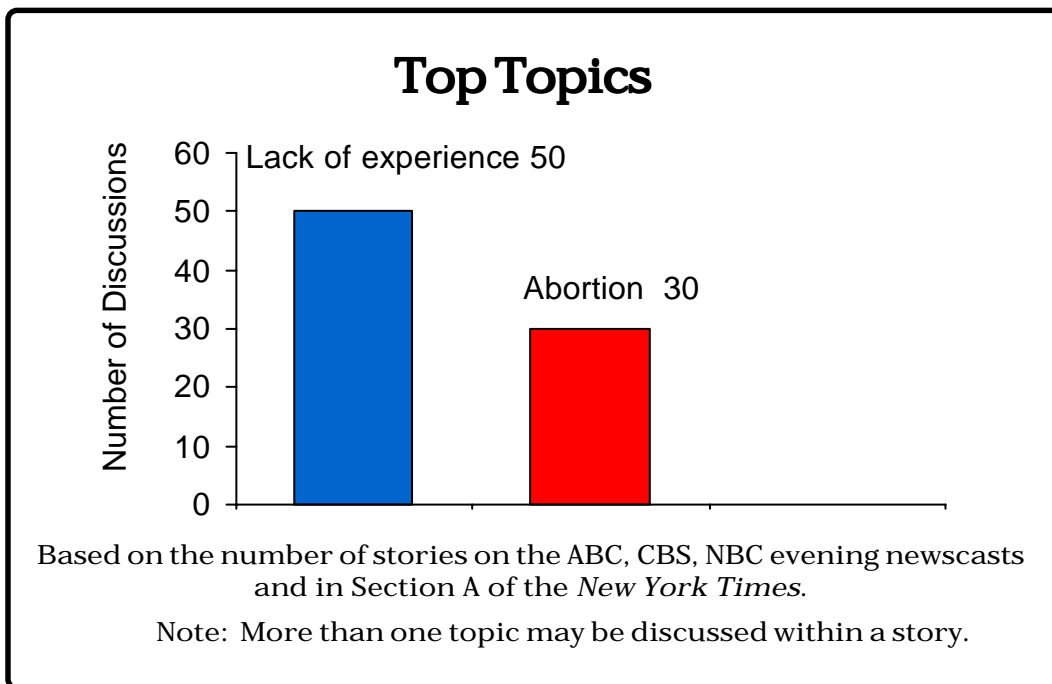
#### **Major Findings:**

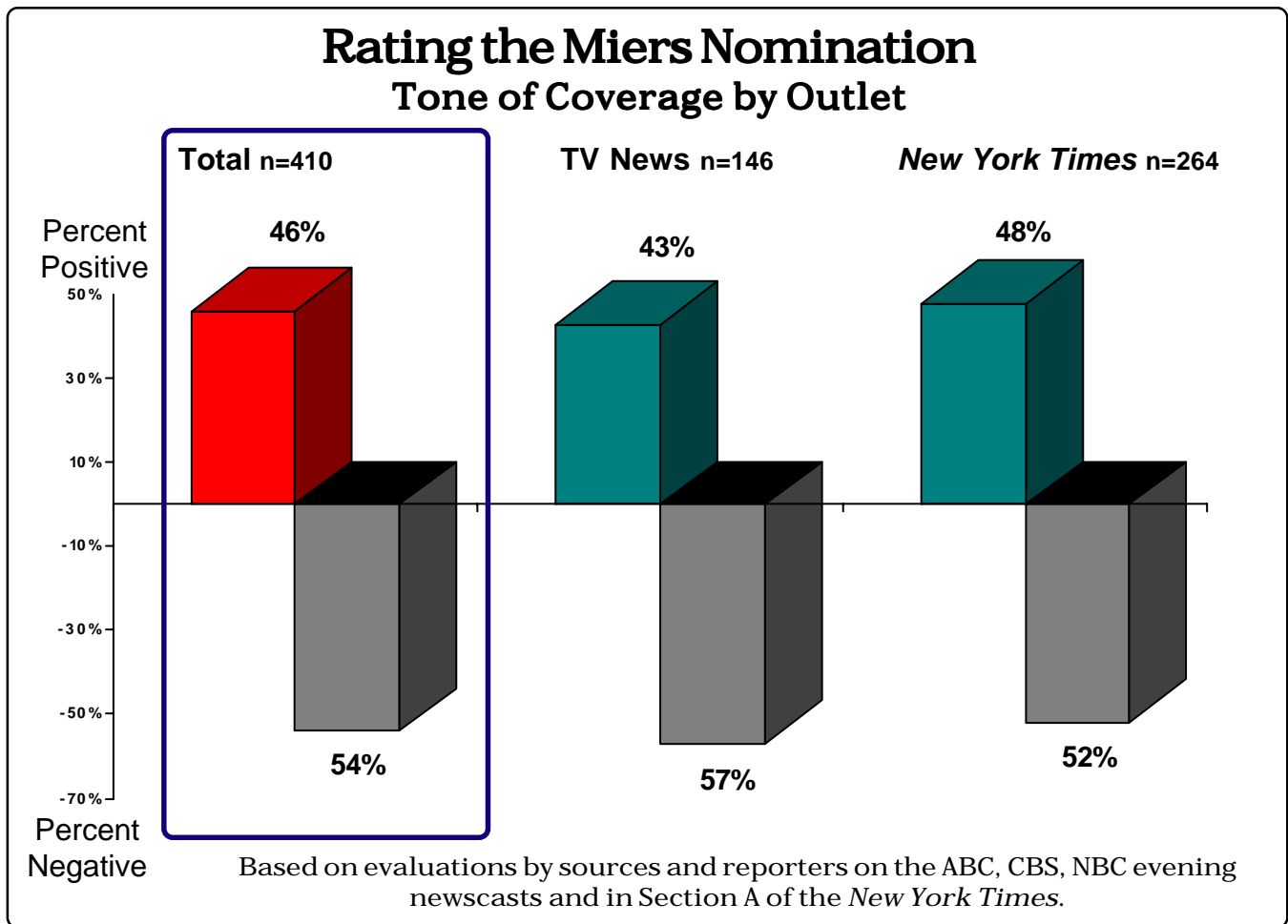
- \* **Aborted Nomination** Abortion was the only major issue covered, apart from questions about Ms. Miers' experience. *Page 1*
- \* **Bad News** Ms. Miers' coverage had a slight negative tilt overall. *Page 3*
- \* **Worse News** But nonpartisan sources were heavily negative. *Page 4*
- \* **With Friends Like These** And conservatives were even more critical than Democrats. *Page 4*
- \* **Unanimous Verdict** Ms. Miers' nomination was rated worse than that of Judge John Roberts by all groups of sources. *Page 5*



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

Discussions about whether Miers had the qualifications or experience for the job dominated the coverage (50 stories). Abortion rights were discussed in 30 stories. No other topic was covered in more than 10 stories.





A slight majority of all sources were critical of Harriet Miers (54%). Sources on ABC, CBS, and NBC (57%) were slightly more critical than sources quoted in the *New York Times*, where opinions of the nomination were almost evenly balanced (52% vs 48%).

Sources offering opinions on Ms. Miers' nomination were even more negative than those who evaluated Judge Robert Bork before his Senate hearings began. From his nomination on July 1 through the eve of his hearings, September 14, 1987, 50 percent of all sources supported his appointment to the Court. (*Media Monitor*, Oct. 1987)

**Examples:**

"President Bush on Tuesday defended his latest choice for the Supreme Court, Harriet E. Miers, from complaints on the right that she was not conservative enough and from the accusations on the left that she was a White House crony unqualified for the job." *New York Times*, 10/05

"The president's pick has taken tough hits, both from conservatives who remain unconvinced she's committed to their fight against abortion and affirmative action, as well as some key senators who found her answers to their questions either contradictory or ill-informed." Joie Chen, CBS, 10/23

### Rating the Miers Nomination Tone of Coverage by Source

	Percent Positive	Percent Negative	n
<b>Partisan*</b>	<b>57%</b>	<b>43%</b>	<b>189</b>
<i>GOP</i>	64%	36%	157
<i>Democrats</i>	25%	75%	32
<b>Nonpartisan**</b>	<b>37%</b>	<b>63%</b>	<b>221</b>
<i>“Conservative”</i>	21%	79%	140
<i>“Liberal”</i>	<i>Too Few</i>		10
<i>All Other</i>	69%	31%	71

\*Partisan sources are identified with one of the major political parties.

\*\*Conservative and liberal nonpartisan sources are comprised of sources from interest groups not affiliated with either party but identified as being conservative or liberal.

Ms. Miers fared worst among nonpartisan sources (those not affiliated with a political party), whose views have more influence on public opinion. However, most of the criticism came from sources described as conservative activists, pundits, etc. Four out of five sources from the conservative movement were critical of the nomination. Their views on the nomination were even more negative than those of Democrats, whose opinions were three to one negative. Evaluations from liberals not affiliated with the Democratic party were barely a part of the coverage.

**Examples:**

"A lot of us are still disappointed, and we are hoping that someone on the payroll gets the gumption to tell the president to withdraw the nomination and really come up with one that will unite all of us." Manuel Miranda (Conservative Strategist), NBC, 10/18

"Senator Sam Brownback of Kansas has questioned her legal views on abortion rights and the committee chairman, Senator Arlen Specter of Pennsylvania, has said Ms. Miers could benefit from a 'crash course in constitutional law.'" *New York Times*, 10/26

### Comparing Coverage of the Miers and Roberts Nominations (Percent Positive)

	Miers	n	Roberts	n
Total	46%	410	59%	228
Broadcast News	43%	146	69%	42
<i>New York Times</i>	48%	264	57%	186
<b>Partisan*</b>	<b>57%</b>	<b>189</b>	<b>68%</b>	<b>69</b>
<i>GOP</i>	64%	157	95%	37
<i>Democrats</i>	25%	32	38%	32
<b>Nonpartisan**</b>	<b>37%</b>	<b>221</b>	<b>55%</b>	<b>159</b>
“ <i>Conservative</i> ”	21%	140	87%	47
“ <i>Liberal</i> ”	<i>Too Few</i>	10	2%	61
<i>All Other</i>	69%	71	88%	51

\*Partisan sources are identified with one of the major political parties.

\*\*Conservative and liberal nonpartisan sources are comprised of sources from interest groups not affiliated with either party but identified as being conservative or liberal.

Judge Roberts enjoyed positive ratings from 7 out of 10 sources, while nearly 6 out of 10 were critical of Ms. Miers. Among Republican sources, Miers' nomination garnered support only 64 percent of the time, while Roberts' was praised by 95 percent of GOP sources. And 89 percent of conservative sources not affiliated with the GOP panned the Miers' nomination, while 87 percent supported Judge Roberts' nomination. (see *Media Monitor* July/August 2005)

The argument over Ms. Miers' nomination was also more heated -- there were three times as many evaluative comments about her nomination on TV news.

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