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ABSTRACT

To measure the editorial advocacy of influential newspapers concerning the membership of the Supreme Court, a study analyzed editorials from such newspapers concerning the last five Supreme Court nominees of President Ronald Reagan (William Rehnquist, Antonin Scalia, Robert Bork, Douglas Ginsburg, and Anthony Kennedy). A telephone survey of 100 editorial page editors (out of a possible 130) of influential newspapers was conducted using a seven-item questionnaire. (From one to three newspapers from each of the 50 states were selected.) The newspapers' editorial responses to the five nominees were correlated with variables regarding the social and political environment in the newspapers' circulation areas, such as median household income, minority population, party and conservatism of the local congressmen, and local senators' votes on the Rehnquist and Bork nominations. The number of papers that editorialized about the nominees was quite high--between 76% and 97%, depending on the nominee. However, findings indicated that for the most part, the positions advocated by editorial writers were not related to newspaper or community characteristics or to state or political factors. (Two tables of data are included and 21 footnotes are attached. An appendix listing the newspapers surveyed concludes the paper.) (SR)

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EDITORIAL COVERAGE OF REAGAN SUPREME COURT NOMINEES

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## EDITORIAL COVERAGE OF REAGAN SUPREME COURT NOMINEES

by F. Dennis Hale

During 20 months of his second term President Reagan and the Senate engaged in acrimonious debate about the selection of a chief justice and two associate justices of the U.S. Supreme Court. The conflict began when Associate Justice William Rehnquist was elevated to chief justice following the retirement of Warren Burger who had served as chief justice for 17 years. At the same time, Antonin Scalia was confirmed to fill the associate justice position vacated by Rehnquist. Ten months later, Justice Lewis Powell retired and Anthony Kennedy was eventually appointed to the Court after two other Reagan nominees, Robert Bork and Douglas Ginsburg, failed to receive Senate support.

Such a flurry of activity over Supreme Court appointments is unusual. These events provided an opportunity to measure the editorial advocacy of influential newspapers concerning the membership of the nation's highest court. This was accomplished by analyzing editorials from two influential newspapers in each of the fifty states concerning the last five Supreme Court nominees of President Reagan.

Three of the nominees--Rehnquist, Bork and Ginsburg--were characterized as extremists and as doctrinaire conservatives; the other two--Scalia and Kennedy--were portrayed as mainstream conservatives. This study related the editorial reaction to the court nominees with the social and political environment in the newspapers' circulation areas such as median household income, minority

population and the party and conservatism of the local congressman. Additionally, editorial reaction to Rehnquist and Bork, the two conservatives who caused a split in the Senate vote, was correlated with the votes of the U.S. senators from the newspaper's state.

Membership changes of the the U.S. Supreme Court are significant events for newspapers for two reasons. Court appointments are rare and genuinely newsworthy events. And court changes directly affect the ability of newspapers to gather and disseminate the news.

Typically a president makes one appointment to the Supreme Court every two years. Anthony Kennedy was the 104th appointment in 1981 years, making the court one of the most exclusive government bodies in the world.<sup>1</sup> The position of chief justice is even more exclusive. Rehnquist was the sixteenth person to hold that position which only becomes vacant every twelve years. Thus the selection of a Supreme Court associate justice or chief justice is a consequential event deserving of news and editorial attention.

For newspapers, and for all print and broadcast media for that matter, changes in the Supreme Court are distinctly different from changes in the presidency or Congress. It is the Supreme Court--and not the president or Congress--that makes most of the law about the rights of journalists. Thus Reagan's Court choices of Rehnquist, Scalia, Bork, Ginsburg and Kennedy all received extensive coverage from journalism trade publications. Examples are the American Newspaper Publishers Association monthly, Presstime; the independent weekly magazine about newspapers, Editor and Publisher; the quarterly of the Reporters Committee for Freedom of the Press, The News Media and The Law, and the monthly magazine of press criticism, Washington

## Journalism Review.<sup>2</sup>

This reportage focused on the nominees' prior judicial record on freedom of expression cases. This was possible because all five nominees had appellate court experience; Rehnquist had served 15 years on the Supreme Court and the other four had served on the U.S. Court of Appeals.

Reagan's only previous nomination to the Supreme Court occurred in his first year in office in 1981 when he appointed Sandra Day O'Connor following the retirement of Potter Stewart. The uncontroversial appointment of the first woman in the history of the Court received a unanimous confirmation vote from the Senate.

Reagan's 20 months of controversy over Court appointments began during the second year of his second term when Chief Justice Warren Burger retired in June of 1986. Reagan nominated Associate Justice Rehnquist as the new chief justice. And the president nominated Antonin Scalia from the D.C. Court of Appeals to fill the seat being vacated by Rehnquist. Scalia received an 18-0 favorable vote from the Senate Judiciary Committee and a 98-0 confirmation vote from the full Senate.

The elevation of Rehnquist was another matter. He posed a special threat to the press. He had voted against parties exercising speech rights 74 percent of the time, a record that surpassed all other members of the Burger Court. The record for the overall court was 52 percent. Amazingly, Rehnquist had voted against the press on every one of 15 libel cases that he helped to decide.<sup>3</sup> In part because of this reactionary record in freedom of expression and other civil liberties, the Rehnquist nomination met with opposition in the Senate. He was

approved by a 13-5 vote of the Judiciary Committee and a 65-33 vote of the Senate.

Senate resistance to a presidential nomination is not unusual. In his discussion of "the myth of the spineless Senate," constitutional law professor Laurence Tribe points out that "one out of every five nominees to the Court has failed to gain the Senate's 'consent.' No other nomination that a president makes receives more rigorous scrutiny." Tribe argues that the myth of a passive Senate developed because of events of 1970-81 when the five nominations of Presidents Nixon, Ford and Reagan (Blackmun, Powell, Rehnquist, Stevens and O'Connor) were confirmed by a total Senate vote of 448-27, with most of the negative votes cast in Rehnquist's initial appointment.<sup>4</sup>

Reagan's Scalia nomination met with little opposition because the Republicans controlled the Senate and because Scalia was perceived as a moderate conservative, the ideological equivalent of Warren Burger whom he replaced. Scalia's ascent to the Court did not change the balance of liberals and conservatives.

Circumstances had changed ten months later in June of 1987 when Lewis Powell announced his retirement. The Democrats controlled the Senate and the departing Powell was seen as a moderate and a centrist--not as a doctrinaire or as a reactionary. Compared to Rehnquist's 74 percent, Powell had voted against journalists and speakers 54 percent of the time. In a landmark 1986 case involving the Philadelphia Inquirer, the former president of the American Bar Association cast the critical fifth vote establishing as a matter of constitutional law that libel plaintiffs must prove the falsity of defamatory statements. This was an important victory for the press.<sup>5</sup>

This was the political climate that existed when Reagan nominated a controversial judge from the D.C. Circuit of the U.S. Court of Appeals, Robert Bork. In acrimonious hearings of the Judiciary Committee, Bork was portrayed as a doctrinaire conservative who would tilt the Court in a reactionary direction. For the first time in its history the American Civil Liberties Union publicly opposed a Court nominee. The ACLU, NAACP, AFL-CIO and other liberal lobby groups launched an unprecedented public information campaign against Bork.

The result was that in October 1987 the Judiciary Committee voted 9-5 to reject Bork. This was followed by a 58-42 rejection by the entire Senate.

Six days later Reagan nominated another conservative judge from the D.C. Court of Appeals, Douglas Ginsburg. The Senate never voted on Ginsburg because he withdrew ten days later following disclosures that as a Yale law professor he had smoked marijuana at parties with students. Reagan's third nominee for the Powell seat was Anthony Kennedy from the 9th Circuit of the U.S. Court of Appeals. Kennedy was approved unanimously by the Judiciary Committee and 97-0 by the Senate in February of 1988.

These five Reagan nominees provided the subject matter for this empirical analysis of newspaper editorial coverage of Supreme Court confirmations.

#### Review of Literature

Perhaps the most noble purpose of a free press is to warn citizens of threatening dangers and to suggest protective measures against such threats. In the 1940s political scientist Harold Lasswell described these two press functions as surveillance of the environment and correlation of the parts of society.<sup>6</sup> More recently, sociologist Charles Wright has defined surveillance as the "collection and distribution of information concerning events in the environment, both within a particular society and outside it." And Wright has defined correlation as "interpretation of the information presented about the environment, prescriptions about what to do about it, and attempts to influence such interpretations." Wright argued that news reporting corresponded with the surveillance function, and that editorial advocacy corresponded with the correlation function. He argued that the two concepts were useful even though they overlapped.<sup>7</sup>

Donohew and Shaw have conducted separate studies that measure how the press performs the two functions of surveillance and correlation. In 1962 when Congress was debating the creation of Medicare, a federal medical plan for the elderly and disadvantaged, Donohew measured the percentage of favorable statements about the plan in wire stories in 17 Kentucky dailies. This favorable coverage was compared with relevant community conditions such as persons over 65 years of age and persons on old age assistance. The strongest relationship in the study was a .73 correlation between the publisher's attitude about Medicare and the newspaper coverage. The researcher concluded that the findings "do not support the hypothesis that community conditions are related to coverage."<sup>8</sup>



Shaw studied the amount of news about population and birth control in 18 metropolitan dailies during five weeks in 1965 when such news was plentiful. He found no relationship between the news and local demographics on fertility, poverty and persons per household. Shaw concluded that it may be "meaningless to speak of the press as carrying out much of a uniquely local surveillance role for anything other than the traditional public affairs coverage of such news as the local courthouse and city hall beats."<sup>9</sup>

Researchers specifically concerned with the correlation function of the press have analyzed newspaper editorials, particularly those that endorse a candidate or ballot issue. Gregg's analysis of California elections during 1948-62 was one of the first such studies.<sup>10</sup>

Analysis of editorial endorsements remains a popular methodology for mass media researchers. During the most recent two-year period the two academic journals that are most devoted to newspaper research, Journalism Quarterly and Newspaper Research Journal, published seven such studies.<sup>11</sup> Four of the studies concerned the 1984 Reagan-Mondale election, demonstrating a continuing interest in newspaper advocacy of presidential candidates.<sup>12</sup> Recent studies indicate that researchers have branched out and that they also are examining correlates of editorial coverage. Two researchers have examined the relationship between chain ownership and editorial endorsements.<sup>13</sup> And three researchers have measured the relationship between endorsements and other content of the newspaper such as news stories about the candidates, editorials about campaign issues and total editorial-page coverage of the campaign.<sup>14</sup>

Despite the plethora of studies about editorial endorsements of elected officials, no studies have systematically examined editorials about U.S. Supreme Court nominees or other appointed government officials.

A number of historical studies have acknowledged the role that newspaper editorials have played in public debates about Supreme Court nominees. Middleton reported how the Boston Columbian Centinel and the Philadelphia Aurora reacted to George Washington's nomination of John Rutledge as chief justice. The Senate rejected the nomination 14-10.<sup>15</sup> And Alexander Bickel and Benno Schmidt reported the "instantaneous explosion" in newspaper editorials following Woodrow Wilson's 1916 nomination of Louis Brandeis. During 42 days of Senate hearings a California paper called Brandeis "the court's first thorough-going radical," the New York Sun said he was "utterly and even ridiculously unfit" and the New York Post objected to Brandeis' nomination because he was "an advocate of 'social justice.'" Brandeis was confirmed by the Senate 47-22.

### Methodology

Newspaper editorials about presidential candidates deserve scholarly attention because they report the conclusions and reasoning of knowledgeable observers concerning a major political event, and because of the potential for editorials to influence voters. Editorials about Supreme Court nominees deserve attention for similar reasons. Major newspapers in a state may directly influence how the two U.S. senators vote on a Court nominee. Or the newspapers may

indirectly influence the senators' votes by encouraging politically active citizens to pressure the local senators.

This potential linkage of influence between major newspapers and a state's U.S. senators dictated the design of this study. A sample of 100 daily newspapers was created by selecting one to three papers in each state that could influence that state's U.S. senators. National newspapers such as the New York Times, Washington Post, USA Today, Wall Street Journal, Los Angeles Times and Christian Science Monitor were excluded from the study.

Dominant daily newspapers were selected from metropolitan areas that contained a substantial proportion of a state's population. These metropolitan areas were identified using the County and City Data Book of the U.S. Census.<sup>17</sup> In some states one city satisfied this criterion: Anchorage, Alaska; Wilmington, Delaware, and Honolulu, Hawaii. Other states contained two such metropolitan areas: Denver and Colorado Springs, Colorado, and Phoenix and Tucson, Arizona. A few states had more than two dominant metropolitan areas: Washington had three--Seattle, Tacoma and Spokane; and Ohio had six--Cleveland, Cincinnati, Columbus, Akron, Toledo and Dayton.

For each sampled newspaper, information was obtained from Editor and Publisher International Year Book: name, city, state, circulation, ownership (and size of group for group-owned papers), telephone number, and name and title of person in charge of the editorial page.<sup>18</sup> The Senate votes on confirmation were obtained from Congressional Quarterly, and facts about the state and congressional district of each newspaper were obtained from a political almanac and a congressional yearbook.<sup>19</sup> This provided data for the following

variables about the states: number of Republican senators, senate votes for Rehnquist, senate votes for Bork, percent caucasians, median household income, and state population. Variables about congressional districts were: party of congressman, congressman's 1986 rating by the American Conservative Union, percentage of caucasians, and median income. The 1984 presidential endorsements of newspapers were obtained from Editor and Publisher magazine.<sup>20</sup>

A seven-item questionnaire was used to conduct a telephone survey of the editorial page editors. The first question was: "Did you publish an editorial about the nomination of Anthony Kennedy? Did the editorial support or oppose Kennedy's confirmation, or did it emphasize other matters?" An identical question was asked concerning Ginsburg, Bork, Scalia and Rehnquist. The other two questions were "How much do you think your editorials on the five, recent Supreme Court nominees influenced the vote of your state's two U.S. Senators?" And, "How aware were you of your publisher's choices concerning these Supreme Court nominations?" There were four possible responses for every question.

The newspapers' editorial responses to the five nominees were correlated with newspaper, state and congressional variables. (A scale was constructed by coding no editorial as missing data, anti-nominee as 0, neutral as 1, and pro-nominee as 2.) Two subprograms of the SPSS-X statistical package, frequencies and nonparameteric correlation coefficients, were used to analyze the data.<sup>21</sup> The purpose of the statistical analysis was to measure editorial coverage of the Court nominees, and to compare that with recent editorial endorsements during presidential elections. The correlation coefficients determined

if there were factors that were related to the Court editorials: newspaper size, Senate vote, congressmen's record, state or local income or race, or newspaper publisher or presidential endorsement.

### Findings and Analysis

Some 100 of the 130 editorial page editors who were contacted by telephone or by mail agreed to participate in the survey, for a 77 percent completion rate. Because the editors often were in meetings or conferences, two or three phone calls were sometimes necessary to complete an interview with a designated editor.

The editors often talked with associates or consulted old files to confirm the contents of an editorial, particularly on the Scalia and Rehnquist editorials which had been written over a year before. Some editors reported writing more than one editorial about Bork, and shifting their position from supportive to critical during the Senate Judiciary Committee hearings. When that occurred the editorial nearest in time to the Senate vote was used for the survey.

The 100 sampled dailies and communities were quite representative of contemporary metropolitan areas. The mean circulation was 143,000 (median of 101,000) and the papers came from congressional districts with a mean of 83 percent caucasians. Some 63 percent of local congressional representatives were Democrats, and 36 percent Republican. The American Conservative Union rating of the congressmen ranged from 0 to 100 percent, with a mean of 52 percent. Local household income ranged from \$14,300 to \$28,400, with a mean of \$19,760. Thirty-six percent of the papers were independently owned and

64 percent belonged to chains with four or more papers.

The editors estimated that their editorials exerting only a moderate influence on the two U.S. senators from their state. Not one editor rated the Supreme Court editorials as very influential. Some 36 percent rated them somewhat influential, and 58 percent rated them somewhat or very uninfluential (6 percent did not know). Many editorial writers volunteered that they knew that their senators read their editorials--but that the senators did not follow their advice. For example, a West Virginia editor said that Senator Robert Bird had called him on the day of the Bork vote, and that the editor had indicated his support for Bork. But Bird voted against Bork anyway.

Consistent with this finding, the relationship between the newspaper editorials on Bork and Rehnquist and the vote of the two senators from the state was weak and statistically insignificant:  $-.02$  for Bork and  $.02$  for Rehnquist. The senators apparently were responding to political forces other than those reflected in the editorials when they voted on the Court nominees.

Although it is not known how often the editorials agreed with the viewpoint of the publisher, the publishers' views were well known to the editors. Some 61 percent of the editors said they were very or somewhat aware of their publishers' views on Court nominees, and 35 percent said they were somewhat or very unaware (4 percent were uncertain).

The number of newspapers that editorialized about the nominees was quite high, ranging from a low of 76 percent for Scalia and Rehnquist to a high of 97 percent for Bork. And generally when the editors wrote an editorial, they took a definite stand for or against confirmation.

Excluding the Ginsburg nomination which concluded without a Senate hearing or vote, the percentage of papers taking a definite stand for or against a nominee ranged from 55 percent for Rehnquist to 89 percent for Bork (see Table 1). Newspapers were more willing to recommend Supreme Court justices than U.S. presidents. In 1980 only 50 percent of the nation's 100 largest newspapers reported making an endorsement for U.S. president. And in 1984 only 25 percent of all U.S. daily newspapers reported a presidential endorsement.

Not only did more newspapers take a stand on Supreme Court nominees than on presidential candidates, but the court editorials were more representative of political outcomes than the presidential editorials. In 1980 Reagan enjoyed a 3.5 to 1 edge over Carter in editorials; this grew to 6 to 1 in 1984. If Reagan had been as popular with the voters as with the editorial writers, he would have received 78 percent of the popular vote in 1980 and 86 percent in 1984. Of course that did not happen.

Restricting the analysis to editorials that either favored or opposed confirmation, the collective recommendations of the newspapers were quite similar to the actual Senate outcomes. Seventy-four percent rejected Ginsburg, and the Senate never voted on him. Both editorialists and U.S. senators voted 100 percent for Justice Kennedy. And the percentages were parallel for editorial writers and senators for the two nominees who divided the Senate. Rehnquist was supported 65 percent by editorials and 66 percent by senators, and Bork was supported 40 percent by editorials and 42 percent by senators. In this respect editorials about Supreme Court nominees were entirely different from editorials about presidential nominees.

As already noted, editorials on the divisive nominees, Bork and Rehnquist, were unrelated to the votes cast by the U.S. senators in the newspapers' home state. An attempt was made to relate editorial advocacy to social or political conditions in the state or local community. It was thought that support for a conservative nominee of a conservative Republican president might be related to media variables such as circulation size or chain ownership or publisher influence, or state or community factors such as the party or voting record of local congressman or household income or racial minorities.

For the most part, such relationships did not exist (see Table 2). Having a Republican congressman was positively related to editorials favoring Ginsburg and, unexplainably, negatively related to editorials favoring Justice Kennedy. But political party of the local congressman was unrelated to editorial coverage of the other nominees--Bork, Scalia and Rehnquist. And the more refined measure of a local congressman's politics--the American Conservative Union rating--was unrelated to any of the five sets of court editorials.

Only internal factors provided any correlational explanation. Bork, Scalia and Rehnquist editorials were positively correlated with 1984 presidential endorsements for Reagan. And the magnitude of two of these correlations was quite high, surpassing .50. However, only 43 percent of the dailies in the sample endorsed a presidential candidate in 1984; the three significant correlations were based on sample sizes ranging from 32 to 43 percent of the papers in the sample. This finding indicates that newspapers that editorially support a presidential candidate tend to support the actions of the candidate after the person becomes president. Endorsing a candidate may make it



more difficult to criticize that same person as a public official. This may be why a growing number of newspapers are choosing not to make presidential endorsements.

Lastly, there were significant correlations between the editorial stands for all of the nominees except Kennedy. Of ten possible correlations between the five collections of court editorials, five were significantly related. These significant relationships ranged from .25 to .41. Thus there was a tendency for newspapers that supported or opposed Rehnquist to support or oppose Scalia, Bork or Ginsburg. But this was only a statistically significant but weak tendency. Half of the time there was no relationship between how a newspaper editorialized on two different nominees of the same conservative president. And when there was a relationship, the editorializing on one nominee only explained from 6 to 17 percent of the editorializing on the other nominee (this variance was computed by squaring the correlation coefficients). Thus there existed a lot more inconsistency than consistency in the editorials.

The last five Reagan nominees to the Supreme Court provided complex and contradictory subjects for editorials. This would have been true even if the editorials had been written from the perspective of the selfish self interests of the newspapers (and there was no evidence that this occurred). On the one hand, Rehnquist had demonstrated a lack of sympathy for the press by voting 15 of 15 times against the press in libel suits. Libel was a major concern to most metropolitan dailies in the sample because they frequently engaged in aggressive or investigative reporting. On the other hand, Rehnquist had demonstrated a commitment to the free market and laissez faire

economics. He favored keeping government off the backs of corporations. And newspapers are private corporations. These considerations were unimportant to these editorial writers.

More important were the complex issues external the newspapers: How much deference does the president deserve in Supreme Court appointments? How relevant is a nominee's prior judicial record or academic publications? How should nominees be questioned about delicate constitutional issues they will face on the court? How relevant is private behavior such as drug usage, club memberships and home ownership, and for how many years back is such behavior relevant? How important is intellectual and scholarly ability? And how is that weighed against ideological extremism? And what attitude is main stream and what is 'unacceptable' extremism? How much prior judicial experience is required? What is the proper role of political action groups? What is a nominee's commitment to judicial activism or judicial restraint?

The number and variety of these complex and often contradictory issues made the writing of editorials about these court nominees a challenging task. This study demonstrated that despite this complexity, that the editorial writers advocated a definite position. And that position was not related to newspaper or community characteristics or to state or political factors. Just as Supreme Court justices are expected to consider each case separately and on its merits, the editorial writers in this study appeared to evaluate each of the five nominees individually and based on their merits.

TABLE 1. NEWSPAPER EDITORIAL COVERAGE OF SUPREME COURT NOMINEES\*

Nominee	No Coverage	Type of Coverage		
		Favorable	Critical	Other
Kennedy	9	79	0	12
Ginsburg	17	10	28	45
Bork	3	36	53	8
Scalia	24	56	5	15
Rehnquist	24	36	19	21

\*numbers are percentages of the total N of 100

TABLE 2. FACTORS CORRELATED WITH FAVORABLE EDITORIAL COVERAGE

Characteristics	Kennedy	Ginsburg	Bork	Scalia	Rehnquist
<b>Newspaper</b>					
Circulation	.06	.10	.06	.11	.06
Chain Ownership	.03	-.07	.02	.00	.11
Reagan Endorsement	.01	.29	.33*	.64**	.59**
Editorial Influence	.06	-.06	-.12	.18	.11
Publisher Influence	.11	-.06	-.04	-.01	.20
<b>State</b>					
Population	-.02	-.15	.00	.02	-.14
Caucasians	.08	.12	.06	.08	.10
Household Income	.07	-.07	-.07	-.08	.04
Republican Senators***	.11	.00	-.11	-.14	.07
Bork Votes			-.02		
Rehnquist Votes					.02
<b>Local</b>					
Caucasians	-.03	.13	.08	.02	.07
Household Income	-.04	-.01	-.17	-.14	-.08
Congress Party	-.33**	.24*	.08	.14	.18
Congress ACU Rating	-.09	.15	.00	-.01	.13
<b>Editorials</b>					
Kennedy		.13	-.03	-.20	.01
Ginsburg			.27*	.09	.25*
Bork				.31**	.38**
Scalia					.41**

\*significance less than .05      \*\*significance less than .01

\*\*\*Rehnquist and Scalia correlated with 1985 Senators,  
others correlated with 1987 Senators

## FOOTNOTES

<sup>1</sup>Henry J. Abraham, Justices and Presidents: A Political History of Appointments to the Supreme Court, second edition (New York: Oxford University Press, 1985), page 4.

<sup>2</sup>Mary A. Anderson, "Media-Law Experts Say Judge Kennedy Is Favorable Supreme Court Nominee," Presstime, December 1987, page 34; "Judge Robert Bork's Record on Issues Important to the Media," The News Media & The Law, Fall 1987, page 18; Lyle Denniston, "Ginsburg's Legacy to the Press," Washington Journalism Review, December 1987, page 14; George Garneau, "Judging the Judge," Editor & Publisher, December 5, 1987, pages 11-12; James E. Roper, "They're No 'Friends' of the Press," Editor & Publisher, August 16, 1986, page 11.

<sup>3</sup>F. Dennis Hale, "Freedom of Expression: the Warren and Burger Courts," Communications and the Law, 9:10-13 (December 1987).

<sup>4</sup>Laurence H. Tribe, God Save This Honorable Court (New York: Random House, 1985), page 78.

<sup>5</sup>F. Dennis Hale, "The Powell Seat on the U.S. Supreme Court," Editor & Publisher, August 29, 1987, pages 56, 44.

<sup>6</sup>Charles R. Wright, Mass Communication: A Sociological Perspective, third edition (New York: Random House, 1986), pages 4-5.

<sup>7</sup>Ibid., page 6.

<sup>8</sup>Lewis Donohew, "Newspaper Gatekeepers and Forces in the News Channel," Public Opinion Quarterly, 31:67 (1967).

<sup>9</sup>Donald L. Shaw, "Surveillance v. Constraint: Press Coverage of a Social Issue," Journalism Quarterly, 46:712 (1969).

<sup>10</sup>James E. Gregg, "Newspaper Editorial Endorsements and California Elections, 1948-62," Journalism Quarterly, 42:532-538 (1965).

<sup>11</sup>Robert Logan, "Balance of Editorial Commentary in Four Florida Newspapers During the 1984 Presidential Campaign," Newspaper Research Journal, 8:71-81 (Spring 1987); Jeff Merron and Gary D. Gaddy, "Editorial Endorsements and News Play: Bias in Coverage of Ferraro's Finances," Journalism Quarterly, 63:127-137 (1986); Ruth Ann Ragland, "How Mayor Candidates Seek Endorsements in New Mexico," Journalism Quarterly, 64:199-202 (1987); Kenneth Rystrom, "Apparent Impact of Endorsements By Group and Independent Newspapers," Journalism Quarterly, 64:449-453, 532 (1987); Kenneth Rystrom, "The Impact of Newspaper Endorsements," Newspaper Research Journal, 7:19-28 (Winter 1986); Byron St. Dizier, "Editorial Page Editors and Endorsements: Chain-owned vs. Independent Newspapers," Newspaper Research Journal, 8:63-8 (Fall 1986); Byron St. Dizier, "Republican Endorsements, Democratic Positions: An Editorial Page Contradiction," Journalism Quarterly, 63:581-586 (1986).

<sup>12</sup>Ibid. Logan; Merron and Gaddy; St. Dizier, "Editorial," and St. Dizier, "Republican."

<sup>13</sup>Ibid. Rystrom, "Apparent Impact," and St. Dizier, "Editorial."

<sup>14</sup>Ibid. Logan; Merron and Gaddy; and St. Dizier, "Republican."

<sup>15</sup>Kent R. Middleton, "The Partisan Press and the Rejection of a Chief Justice," Journalism Quarterly, 53:106-110 (1976).

<sup>16</sup>Alexander M. Bickel and Benno C. Schmidt, Jr., The Judiciary and Responsible Government: 1910-1921 (New York: Macmillan, 1984), pages 375-378.

<sup>17</sup>County and City Data Book, 1983 (Washington, D.C.: U.S. Government Printing Office, 1983).

<sup>18</sup>1986 Editor & Publisher International Year Book (New York: Editor & Publisher, 1986).

<sup>19</sup>Martha V. Gottron, editor, Congressional Districts in the 1980s (Washington, D.C.: Congressional Quarterly Inc., 1983); Alan Ehrenhalt, editor, Politics in America: The 100th Congress (Washington, D.C.: Congressional Quarterly Inc., 1987).

<sup>20</sup>User's Guide: SPSS-X (New York: McGraw-Hill Book Company, 1983), pages 265-277, 663-670.

<sup>21</sup>Andrew Radolph, "A Newspaper Majority for Reagan," Editor & Publisher, November 3, 1984, pages 9-12. Also, John Consoli, "Reagan Backed by 443 Dailies," Editor & Publisher, November 1, 1980, pages 9-12.

## APPENDIX

Alabama: Birmingham News.

Alaska: Anchorage Daily News.

Arizona: Phoenix Arizona Republic and Tucson Arizona Daily Star.

Arkansas: Fort Smith Southwest Times Record, Little Rock Arkansas Gazette and Pine Bluff Commercial.

California: Oakland Tribune, Sacramento Bee and San Diego Union.

Colorado: Boulder Daily Camera, Colorado Springs Gazette Telegraph and Denver Rocky Mountain News.

Delaware: Wilmington Morning News.

Connecticut: Bridgeport Post, Hartford Courant and New Haven Register.

Florida: Ft. Meyers News-Press, Miami Herald, St. Petersburg Times and Tampa Tribune.

Georgia: Atlanta Constitution; Macon Telegraph and News.

Hawaii: Honolulu Star-Bulletin.

Idaho: Boise Statesman, Lewiston Tribune and Twin Falls Times-News.

Illinois: Chicago Tribune and Peoria Journal Star.

Indiana: Evansville Courier, Gary Post-Tribune and Indianapolis Star.

Iowa: Cedar Rapids Gazette, Des Moines Register and Waterloo Courier.

Kansas: Topeka Capital-Journal and Wichita Eagle-Beacon.

Kentucky: Louisville Courier-Journal and Covington Kentucky Post.

Louisiana: Baton Rouge Advocate.

Maine: Bangor Daily News and Portland Press-Herald.

Maryland: Baltimore Sun.

Massachusetts: Boston Globe, Springfield Union and Worcester Evening Gazette.

Michigan: Detroit News, Flint Journal and Lansing State Journal.

Minnesota: Minneapolis Star and Tribune and St. Paul Pioneer Press.

Mississippi: Biloxi Sun Herald and Jackson Clarion-Ledger.

Missouri: Kansas City Times and St. Louis Post-Dispatch.

Montana: Billings Gazette and Great Falls Tribune.

Nebraska: Lincoln Journal and Omaha World-Herald.

Nevada: Los Vegas Review-Journal and Reno Gazette-Journal.

New Hampshire: Manchester Union Leader.

New Jersey: Hackensack Record and Newark Star-Ledger.

New Mexico: Albuquerque Journal.

New York: Rochester Democrat and Chronicle and Syracuse Herald-Journal.

North Carolina: Charlotte Observer and Raleigh News and Observer.

North Dakota: Fargo Forum and Grand Forks Herald

Ohio: Cincinnati Enquirer, Columbus Dispatch, Dayton Journal-Herald and Toledo Blade.

Oklahoma: Oklahoma City Daily Oklahoman and Tulsa World.

Oregon: Eugene Register-Guard, Portland Oregonian and Salem Statesman-Journal.

Pennsylvania: Allentown Morning Call.

Rhode Island: Providence Bulletin.

South Carolina: Columbia State and Greenville News.

South Dakota: Rapid City Journal and Sioux Falls Argus Leader.

Tennessee: Memphis Commercial Appeal.

Texas: Dallas Morning News.

Utah: Provo Daily Herald and Salt Lake City Tribune.

Virginia: Norfolk Virginian Pilot.

Washington: Spokane Spokesman-Review; Tacoma News Tribune.

West Virginia: Charleston Gazette and Huntington Herald-Dispatch.

Wisconsin: Green Bay Press-Gazette, Madison State Journal and Milwaukee Journal.

Wyoming: Casper Star-Tribune.

One newspaper from an unknown city and state.