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In 1993, Networks Touted Ruth Bader Ginsburg as a “Moderate” and Omitted Her Conservative Critics

Alito the Extremist, Ginsburg the Moderate?

As soon as network reporters heard of his nomination, they cast Supreme Court nominee Samuel Alito as a right-wing extremist. During live coverage Monday morning, ABC’s Charles Gibson branded Alito as “very conservative” and “the most conservative member” of an otherwise “liberal appellate court.” Over on CBS’s *Early Show*, Gloria Borger dubbed Alito “quite conservative,” the same label applied on CNN’s *Daybreak* by Carol Costello. On *Good Morning America*, ABC’s Jessica Yellin labeled Alito as “conservative” five times in 50 seconds.

Last night’s newscasts carried the same message. On ABC, anchor Elizabeth Vargas called Alito a “staunch conservative,” while Terry Moran found him “deeply conservative.” CBS’s John Roberts said that “if confirmed, Alito would wipe out the swing seat now occupied by Sandra Day O’Connor, tilting the Supreme Court in a solidly conservative direction.” In contrast, NBC’s Brian Williams, agreed Alito was “dependably conservative” but he also saw an “independent streak,” as did reporter Pete Williams.

Despite the labeling, Alito’s career — Justice Department lawyer, U.S. attorney, federal judge — is not that of an activist. In contrast, Clinton nominee Ruth Bader Ginsburg had solid activist credentials as director of the Women’s Rights Project for the ACLU, but reporters were loath to assign her a liberal label. On the June 14, 1993 *NBC Nightly News*, Andrea Mitchell termed Ginsburg “a judicial moderate and a pioneer for women’s rights.” The next morning on ABC, *Good Morning America* co-host Joan Lunden asked legal editor Arthur Miller: “We hear words like ‘centrist,’ ‘moderate,’ ‘consensus builder.’ How will she fit into this court?” Miller, a longtime friend of Ginsburg, predicted (wrongly) that she’d be a centrist Justice.

This morning, all three network shows featured both a liberal critic of Alito and a conservative supporter. But 12 years ago the only guests invited to discuss Ginsburg were from the Clinton White House or her personal admirers. And the only complaints forwarded to audiences came from pro-abortion activists worried that the liberal feminist Ginsburg wasn’t hardline enough on *Roe v. Wade*.

On the June 15, 1993 *This Morning*, CBS’s Paula Zahn hit a pro-Ginsburg guest from the left: “The National Abortion Rights Action League is not totally comfortable with this nomination of Judge Ginsburg. They do not feel that she supports *Roe v. Wade* fully. Are their fears justified?” Over on NBC’s *Today*, Katie Couric voiced similar fears to White House Chief of Staff Mack McLarty: “So you don’t think she has an open mind in terms of interpreting *Roe v. Wade*, as some abortion rights activists are concerned about?”

Back in 1993, broadcast shows ignored opposition to Ginsburg from groups such as the National Right-to-Life Committee — although CNN, to its credit, did include pro-life critics in their Ginsburg coverage. Now, the same hard left activists who worried about Ginsburg’s purity are getting airtime to complain about Alito’s supposed extremism.

“I think it may even require the Democrats to filibuster,” pro-abortion activist Kate Michelman claimed on Tuesday’s *Good Morning America*. But 12 years ago, conservative activists troubled by Ginsburg’s selection were shut out of TV coverage that celebrated her “centrism.” — Rich Noyes

CBS vs. *Washington Post* on “Scalito”

“Conservatives were, quote, ‘deliriously happy’ over the choice. And why not? Alito’s judicial philosophy so mirrors that of the Supreme Court’s hardliner, Antonin Scalia, that he’s been nicknamed ‘Scalito.’”

— John Roberts, October 31 CBS Evening News.

vs.

“The real Sam Alito, according to the lawyers and other friends who know him well, is more like the second coming of Chief Justice John G. Roberts Jr., but with a longer paper trail. They describe Alito as a studious, diligent, scholarly judge with a first-rate mind....They don’t know anyone who isn’t a journalist who actually calls him ‘Scalito.’”

— *Washington Post* reporters Michael Grunwald, Jo Becker and Dale Russakoff in a November 1 profile of Judge Samuel Alito.

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