

The Occupy Movement, Youth and the Free Press

by Julian H. Walker¹

Canada's Occupy movement in 2011-2012 was both peaceful and courageous. The current generation of young people, including many who supported the Occupy movement have many international concerns, such as fighting starvation and disease in Africa or achieving rescue and relief for natural disasters in Haiti or Japan. Closer to home the concerns have been homelessness and poverty, First Nations rights, climate change, rising tuition costs, and tough career prospects. But another vital issue which is often overlooked is the poor state of the Free Press in Canada, but particularly in New Brunswick.

Three Essential Attributes of a Free Press:

1.Independence: A free press is not beholden to government or other dominant interests in society. This assumes the right to practice journalism without anyone's permission;

2.Diversity: A free press will benefit from having a variety of media owners and numerous types of media with diverse styles and editorial points of view;

3.Competition: A free press involves healthy competition among media outlets and this is the best check on irresponsible media behavior such as inaccuracy, plagiarism, bullying, hacking, or improperly serving special interests. Competition is the best alternative to government regulation.

Top media theorists Robert Martin and Stuart Adam state that such media principles as above are vital for the operation of a democracy, and recognize the right to know, speak, criticize and express opinion without seeking the permission of authorities. Martin and Adam also argue that in liberal democracies the state has no right to cut back on this fundamental freedom of the press. To this essential theory of the free press and free speech, two points should be added. The legendary 17th century poet, John Milton, maintained that the truth can only prevail where there is a free exchange of ideas. This is echoed by John Stuart Mill with his concept of the free marketplace of ideas. Mill said if there is constant flux of good ideas competing with bad ideas, then there is a good chance that the good ideas will prevail. But "bad ideas" should not be banned, they too have their role. (Robert Martin and G. Stuart Adam, *a Sourcebook of Canadian Media Law*: 1994, Chap.1; John Milton, *Areopagetica*. 1644. Intro. Albert C. Baugh and George William McLelland, *English Literature*. New York, 1954; John Stuart Mill, *On Liberty*. 1859.)

The origins of the Free Press in New Brunswick:

It may be a surprise to many that New Brunswick has a rich free press tradition dating from the Confederation era. Saint John was the commercial and media centre of the province and that city had no fewer than five daily newspapers. By comparison, Philadelphia, which was the intellectual centre of

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the American Revolution had only two more dailies than Saint John. The New Brunswick papers took a decisive role in influencing governments on the great issues of the day, notably the idea of the Confederation of British North America. But there are numerous examples of the rough and tumble press of that era playing an integral part in the life of the province. (P.B. Waite, *The Life and Times of Confederation*, 1971, 229-339.)

At the turn of the century (1900) the newspapers were closely associated with the politicians of the day. Thus, Premiers Henry Emmerson and Clifford Robinson were directly associated with the Liberal *Moncton Transcript*. Premier William Pugsley had ties to the Liberal papers in Saint John, the *Times* and the *Telegraph*. Premier George Clarke had been editor of the *Saint Croix Courier* in St. Stephen, and was called on to clean up the mess left when Premier Kidd Flemming was forced from office. The most prominent Tory paper, the *Daily Gleaner*, ended the political career of Henry Emmerson of the *Moncton Transcript* with the allegation that while Emmerson was railway minister in the federal Liberal government, he had a liaison with a young woman in his private railway car. The allegation was never proven but Emmerson was forced to resign. (Arthur T. Doyle, *Front Benches & Back Rooms 1977*, 27-70.)

The most newsworthy scandal of the era involved Premier Kidd Fleming. In the crunch the weekly and daily newspapers of the province weighed in. Virtually every one of the province's newspapers editorialized that Premier Kidd Flemming should resign for "compelling" a railway contractor to contribute funds to the Conservative Party. Premier Kidd Flemming did resign, but soon after returned to politics, winning election federally in 1925.

In 1946, a rising entrepreneur in New Brunswick by the name of KC Irving bought his first daily newspaper in the province, the *Telegraph Journal*. Quietly over the next 20 years, he also acquired the four remaining English language daily papers in the province. With the trend for daily newspapers to favour morning editions, the Irvings merged the *Times* and the *Transcript* in Moncton in 1983 and Saint John's *Telegraph Journal* and the *Evening Times Globe*, in 2005. The Fredericton *Daily Gleaner* moved from being an afternoon to a morning paper. Thus, the five daily Irving papers became three. (JH Walker, *The Once and Future New Brunswick Free Press*, Para. 17, *Journal of New Brunswick Studies*, Fall, 2010.)

Through three national commissions on concentration of ownership of the Canadian Media (Keith Davey, Tom Kent, and Senator Bacon) KC Irving and his three sons defended their ground, making the argument that ownership by New Brunswick family enterprise was far superior to ownership by a conglomerate from outside the province. The three commissions had little impact on the press ownership in New Brunswick, except that in 1994 the Irvings were obliged by the CRTC to sell their Saint John television station CHSJ, and it became a CBC stand-alone station in Fredericton. (Russell Hunt and Robert Campbell, *K.C. Irving: The Art of the Industrialist*, 1973, 163-176; and K.C. Irving testifying before the Davey Committee, *Ibid.*)

With the new Millennium, Brunswick News, the Irving-owned media-holding company gradually bought all of the French and English weeklies in the province, except the *St. Croix Courier* in St. Stephen and the *Sackville Tribune*. The French language daily, *L'Acadie Nouvelle*, supported by a public trust fund, also remained independent, although it has struggled financially in recent years. The Irving acquisition of the weeklies drastically changed the structure of the media in the province, as the weekly press had been the main source of diversity during the era when all English dailies were owned by the Irving media.

In 1970-80, the province's weeklies broke some surprising news stories. Notably the independent *St. Croix Courier* did extensive investigative work around the Point Lepreau nuclear plant then under construction. This was the railway scandal of its day. The paper demonstrated that Lepreau contractors had made illegal political contributions to the governing Conservative Party, including the riding of the

Chairman of NB Power, Bill Cockburn. On the floor of the Legislature, Mr. Cockburn accused the *Courier* of having possession of stolen documents for its stories, an allegation that was later dropped. The *Courier* also showed that favored companies were bidding “low” on Lepreau contracts, and then through change orders inflating the value of the contracts to a generous degree. The paper also proved that the Lepreau reactor building would be prone to leaks, and as a result an epoxy coat had to be placed on the entire inside of the massive building.

In 1981, the *Courier* had two stories chosen nationally of the 10 best Investigative stores in Canada for that year. Also in 1981, this writer, as editor of the paper appeared before the Kent Commission, the *Royal Commission on Newspapers* that was touring the country. One of the *Courier* editor’s comments to the Royal Commission was the following: “Whether through laziness or design, New Brunswick’s English dailies inflict a stultifying, recording-secretary approach to journalism on their readers. There are always exceptions but these papers, by and large, do not break news. They cover the basic news happenings faithfully and considering the number of reporters they employ, do so reasonably well. They basically fail to bring new information before the public in an adventuresome way...” (Julian H. Walker, Submission to the *Royal Commission on Newspapers*, 25 February 1981.)

The value of strong reporting from the weeklies is that much greater when 30 of the 33 New Brunswick newspapers of various descriptions (daily, weekly and special) are owned by the Irving interests. It can certainly be argued that there are other media markets in North America where there is a heavy concentration of ownership of the media. But, in New Brunswick the major industrial power is also the media power.

Many New Brunswickers admire the determination of the Irvings, schooled by KC Irving “to do things right.” They have a prodigious work ethic and they leave no stone unturned. JK Irving, the current family patriarch and the oldest son of the late KC Irving has a host of benevolent involvements. JK Irving’s contributions include longstanding membership on then National Roundtable on Environment and the Economy, creation of the Irving Nature Park, creation of the Bouctouche Boardwalk, preservation of the dome of the old Saint John General Hospital, restoration of Fredericton’s Robbie Burns statue, and significant contribution in time and resources to Big Brothers/Big Sisters in the Saint John-Charlotte County area. In business his reputation was for being tough but fair. Against this personal dynamism we must consider the structural reality of the Irving companies maintaining such a strong position in the industrial life of New Brunswick, while also owning virtually all of New Brunswick’s newspapers.

The most striking illustration of the consequences of combined industrial and media power is found in the 2009 proposal to sell NB Power to Quebec Hydro. Two years earlier, with the province’s pulp and paper industry in dire straits, JD Irving, son of JK Irving, and president of Irving Pulp and Paper launched a very high profile campaign for lower power rates for major industry in the province. *The Telegraph Journal* gave extensive coverage and support to JD Irving’s campaign (e.g. Telegraph editorial, “Broker a Deal on Energy,” 4 July 2007.) and this stance clearly had a strong impact on the Shawn Graham government. The Premier had accepted that the ailing industry needed help... and the best way to give that help was through lower industrial power rates.

On Nov. 13, 2009, Premier Graham unveiled his proposal to sell NB Power to Hydro Quebec. The terms would have reduced industrial power rates by close to 30 per cent. This had every indication of being the government’s response to the earlier plea of JD Irving on behalf of large industry. The *Telegraph Journal* immediately liked what it saw. The very next day after the Premier announced the proposed deal the *Telegraph* endorsed it, seeing it as the deal of the century. Even though analysts at

the time called it the most important public policy issue in 35 years, the newspaper did not encourage a debate prior to taking a position. Its endorsement was unequivocal and complete. (Editorial, *Telegraph-Journal*, 14 November 2009, A10.)

In a later editorial, the *Telegraph* argued: “It’s time to drop the empty, ideological rhetoric in the debate over N.B. Power... It’s not enough to say you’re pro or con. New Brunswickers need to hear logical arguments, supported by facts and benchmarked against a basic question: what is the alternative? So far we haven’t heard one.” Had the newspaper not passed over its opportunity (back on Nov. 14) to encourage public debate?

As it transpired, none of the three major players, the province, the media and the industrial empire got their way in supporting the proposed sale to Hydro Quebec, as extremely strong public opposition defeated the deal. An 11th hour second version of the proposed agreement had proposed that industrial power rates were to be reduced to 23 per cent, compared to close to 30 per cent in the original deal. The best that residential power users could hope for was a temporary rate freeze. The second version made little if any dent in the public opposition, and the government soon decided to drop the proposed sale.

However, successive New Brunswick governments continued to attempt to help large industrial users. Following the defeat of the Graham government in the 2010 election, the new government of Premier David Alward found a way to give large industry increased revenue. Large industries would buy power from NB Power, and then with their co-generation capability (e.g. producing power from burning waste wood), sell power back to the utility at a higher rate.

The significance of the ties among the government, JD Irving Ltd. and the *Telegraph Journal* did not go unnoticed at the height of the great utility debate. Three out of four of the province’s main political parties called for something to be done about the media monopoly. The then leader of The Green Party, Jack MacDougall, described the media monopoly in New Brunswick as akin to having a jury selected for a criminal trial and all the members of the jury are members of the same family. But a comment during the power sale debate by Roger Duguay, then provincial NDP leader, proved accurate: “The closer parties get to political power, the less they talk about problems with the province’s media.” The Conservative Party, which had joined the criticism of the media situation during the power debate, has done little if anything to advance the issue since taking power in 2010.

<http://cbc.ca/mr13/8752/nb/ondemand/video/panel.wmv>

Summary of major outstanding issues for a Free Press:

The Free Press now:

- Are the criteria identified here for a free press— independence, diversity and competition—legitimate and accurate, and are they being upheld here in New Brunswick?
- Does the media monopoly keep uneconomic media outlets operating, and is this a positive factor? Is this essentially about control, i.e. preventing new media outlets from entering the market?
- Is self-censorship by journalists a concern? Does this shift normal news coverage to safe topics?
- Does the “triumvirate” of industry/media/government cause the media to be diverted from its proper role, i.e. becoming an actor as opposed to an observer, critic and reporter on events? When there is a

“partnership” among industry, media and government is there pressure on government and the media effectively “to give the empire what it wants?”

A Free Press in the Future:

- Is some form of process to review the ownership structure by either the federal or provincial governments a good idea? Is this likely to happen?
- Are newspapers growing obsolete and is some sort of shift to internet newspapers/social media the real solution?
- New Brunswick has been called a deferent society, where people don't speak out because they worry about jeopardizing their job or that of members of their family. Did New Brunswickers show in the Power debate that they have new courage to speak their mind? Will this continue? Would a freer press in New Brunswick result in a still more normal and healthy public discourse?
- What, if anything, should be done to achieve independence, diversity and competition in the New Brunswick press? Do examples such as the Globe and Mail suggest that the era of many small newspapers is likely over, and it is a single quality paper for a given market which we should aspire to?
- Do a free press and liberal democracy still go hand in hand? Is there a way to approximate New Brunswick's golden age of the Free Press, one where citizens feel freer to express, and act on, their beliefs?

Conclusion

In the context of the Occupy Movement the current generation of young people does not appear to be overly concerned with the existence of a Free Press. Students may be more ready to fight strife and starvation in developing countries, or espouse causes closer to home, such as fairer income distribution, rising tuition costs (e.g. the Quebec demonstrations over much of this year) or tough career prospects in a slumping economy. But the value of Mills' Free Market Place of Ideas should not be forgotten. To safeguard the free flow of information, critical thinking and serve as a watch dog on government and society, the Free Press is vital even if it takes new forms. This is all the more true in New Brunswick where the major industrial power and dominant media power are one and the same. As with the proposed sale of NB Power to Hydro Quebec, the three forces of government, major industry and concentrated media fought as one to bring about the sale. But these three actors were unable to convince the public. Debate was intense, and ultimately free discussion and debate won the day.

For the future of the Free Press in New Brunswick, a key point for debate is whether a process should be launched to consider the impact of the present structure and examine methods of bringing greater independence, diversity and competition to the province's media. Some would argue that this initiative would only lead to frustration. Yet one of the achievements of the Occupy movement has been to highlight key issues, such as the distribution of income in society, and show that change is possible. Young journalists are the future of a Free Press, and many of them now leave the province for freer media shores. A preferable outcome would be for many young journalists to remain in the province and fight for a quality Free Press right here in New Brunswick.