

# The Once and Future New Brunswick Free Press<sup>1</sup>

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## Abstract

New Brunswick was at the forefront of the diverse, unruly, and fiercely competitive free press of Canada's Confederation era. Yet today over thirty newspapers of various types operate in New Brunswick, virtually all of them owned by the Irving interests. In the case of the proposed sale of NB Power to Hydro-Québec, this essay notes that the Irving press applauded the proposed lower power rates for large industrial users, including major Irving-owned industry. With minimal competition in New Brunswick's media sector, this appeared to commentators as a conflict of interest. This essay will argue that the Irving media monopoly muffles debate in the province and that it is time to let in some fresh air through a modern, diverse, and competitive free press.

## La presse d'hier et la presse libre de l'avenir au Nouveau-Brunswick

### Résumé

Le Nouveau-Brunswick a été à l'avant-garde d'une presse libre diversifiée, irrévérencieuse et extrêmement concurrentielle pendant l'ère de la Confédération du Canada. Toujours est-il qu'aujourd'hui, plus de trente journaux de divers genres sont publiés au Nouveau-Brunswick, et presque tous appartiennent à Irving. Dans le cas de la vente proposée d'Énergie NB à Hydro-Québec, cet essai signale que les journaux appartenus par Irving rendaient hommage aux tarifs d'électricité plus bas proposés aux grands consommateurs industriels, y compris d'importantes entreprises appartenues par Irving. Étant donné qu'il y a très peu de concurrence dans le secteur de la presse au Nouveau-Brunswick, les commentateurs estimaient que la nouvelle semblait être un conflit d'intérêt. Cet essai propose que les médias monopolisés par Irving étouffent les débats dans la province, et qu'il est temps de laisser entrer une bouffée d'air frais par l'entremise d'une presse libre moderne, diversifiée et concurrentielle.

### Introduction

It was the greatest outpouring of outspoken, unruly, and empowered free expression in New Brunswick since the heyday of newspaper journalism in the province over a century ago. The strong opinions against the province's proposed sale of NB Power to Hydro-Québec were all the more surprising in a province recently dubbed "the closest thing to a print media monopoly as exists in Canada."<sup>2</sup> The vox pop of the anti-sale movement also reflected a renewed desire for a free press in New Brunswick. Premier Shawn Graham's announcement on 29 October 2009 of his intention to sell NB Power stunned most New Brunswickers, and comments strongly opposing the deal immediately began appearing in social media, on CBC comment boards, and in letters to the editor. By contrast, the *Telegraph-Journal*, the flagship paper in the Irving fleet of daily and weekly newspapers, immediately extolled the draft agreement, calling it "The Deal of the Century." Filling the entire left side of its editorial page, the newspaper said the deal "will be transformative—breathing new life into the economy and giving citizens the relief from excessive energy costs they've been seeking."<sup>3</sup>

The public opposition to the power deal arose from several factors, including that it involved Hydro-Québec, the power utility in a province that had at least considered separation from the rest of Canada. There was also a perceived loss of sovereignty for New Brunswick with the sale of its power utility, and the deal was announced with minimal consultation with the citizens of the province. But a further driver of resentment toward the sale was the widespread public impression that the province's large industrial power customers, many of them Irving companies, were strongly favoured in the deal, receiving a cut in their power rates of close to 30 percent under the first agreement and 23 percent

under the revised agreement announced three months later.<sup>4</sup> That might have been acceptable to New Brunswickers, but the contrast between the large industrial rate cuts and the five-year rate freeze for residential customers offended people's sense of fairness. Furthermore, the strong support of the Irving press for the Hydro-Québec deal was seen as the press doing the bidding of Irving industry. One participant on a CBC comment board stated, "That the newspaper needs a competitor is apparent. . . If the T-J [*Telegraph-Journal*] was serving its public, the people of NB would not have to go through the stress of the NB Power fiasco. Democracy would not have been in a coma. And the people would not have had to take to the streets to begin the process of restoring its health."<sup>5</sup> This type of sentiment was reflected in the public statements of three of the province's four main political parties that the issue of the Irving media monopoly must be addressed. "It's just not right anymore," said Jack MacDougall, the leader of the New Brunswick Green Party, continuing: "I wouldn't want to be a 35-year-old with a mortgage and four kids writing a story on why we're giving a tax deduction to Irving Oil. I'd be terrified."<sup>6</sup>

It has been common for New Brunswickers to make favourable comments about the Irvings, such as "I wish we had ten more like them."<sup>7</sup> The respect that New Brunswickers have for the Irving family, and particularly the late K.C. Irving, is undeniable. This was seen again with the outpouring of grief for Jack Irving, the first of the Irving brothers to pass on. Yet in the course of the NB Power debate, something clicked, raising the prospect for the first time that the media monopoly could be bad for business for the Irving's industrial empire. While the Irvings have normally kept a low profile in politics and in the press, the power debate allowed the public to make a connection between industrial power and media power.

The analysis in this essay will focus on the industry/media connection during the NB Power episode and on two other important periods in the province, the Equal Opportunity era of the Louis Robichaud government in the 1960s, and the recent history of the *Telegraph-Journal* under publisher Jamie Irving, great-grandson of K.C. Irving. A free press is not a static force, having emerged over the past 400 years. This essay will also, then, consider where a free press comes from, what it aspires to do, and what role it plays in society. Toward that end, the essay will briefly consider the importance of a free press in liberal democracies and the relevance of such concepts as diversity, independence, and truth-seeking to the journalistic enterprise. It will also briefly explore the incredibly rich and exciting early free press history of New Brunswick, a golden age when, for a period of sixty years before and after Confederation, New Brunswick was one of North America's most vibrant free-press societies.

## The Theory of the Free Press

The pioneers of the free press advanced the notion that free speech and the free press are essential elements of liberal democracy. As early as 1644, the English poet John Milton argued that truth can only prevail where there is a free exchange of ideas.<sup>8</sup> Thus, the diligent work of one strong thinker working alone in his or her attic will not produce truth. The key is interaction, opposing viewpoints, and debate.

The nineteenth-century philosopher John Stuart Mill is perhaps best known for his concept of a "free marketplace of ideas," where great ideas and opinions compete on their merits. It is a noble concept that nonetheless lacks a sense of who controls the flow and nature of ideas—in other words, who has power. If Mill's "marketplace" is governed at all, it is by something akin to economist Adam Smith's "invisible hand," where the forces of supply and demand guide capitalism.<sup>9</sup> But a closer reading reveals that Mill has in mind a much more rigorous marketplace:

However unwillingly a person who has a strong opinion may admit the possibility that his opinion may be false, he ought to be moved by the consideration that, however true it may be, if it is not fully, frequently, and fearlessly discussed, it will be held as a dead dogma, not a living truth.<sup>10</sup>

Mill offers a path for modern-day journalism: so that we are not left with "dead dogma," full, frequent, and fearless debate should be the order of the day. Bold and diverse voices provide the best path to truth. In the media today we often look to the "quality" newspaper or broadcast outlet for comfort that the press is strong and effective, but, reading Mill, it is the *variety* of outlets, the unruly competition among them, and the ardour of the debaters that offer the better road to quality journalism and truth. Many would point to the Internet as providing this degree of diversity today, reducing the lack of competition in traditional media to be a matter of little concern. Mill would certainly argue for the most rigorous possible environment, one featuring competition at all levels: the Internet, the traditional media, and the blended

Internet and traditional media. Mill would argue just as forcefully today for unfettered discussion and the search for the “living truth.”

Media theorists Robert Martin and G. Stuart Adam argue there is a strong link between a society based on free expression and debate and a democratic one. Referring to Canada, Great Britain, and the United States, Martin and Adam argue:

The democratic tradition recognizes the right to know, to speak and to express opinions without first seeking the permission of authorities and without the risk that the law will be used to forbid or punish the exercise of the right. The understanding is that free expression is so fundamental to democratic societies that it can be limited only for clear and pressing reasons. There cannot be democracy if the right to criticize is not secure; nor can democracy exist if governments possess the power to define the meaning of events and values. Accordingly, the notion of freedom of expression in liberal democracies includes the belief that the state has no right to abrogate this fundamental freedom.<sup>11</sup>

The tie between free expression and democracy is vital, and the right to criticize is essential in a healthy democracy. Martin and Adam argue that governments cannot dominate and define the debate. In New Brunswick's recent debate over the sale of NB Power, there was at least a perception of a *triangle of mutual interest* among the Irving industrial empire, the media conglomerate owned by the industrial empire, and the provincial government. In the case of such an aligning of the stars, it is the media that must break away and provide the scrutiny, the criticism, and the forum for public debate. In this case, while some good work was done, the Irving media in the NB Power debate took an uncritical role, overall, toward its owners, the large industrial power users, and the government of the day.

## New Brunswick's Rich Free-Press History

In the Canadian Confederation era, New Brunswick built its free-press strength around the dynamism and power of Saint John, its largest city. At the time, Saint John had a population of approximately 42,000 and was the largest city in the Maritimes—twice the size of Hamilton and approaching Toronto or Quebec City. Historian P.B. Waite, who looked at the Confederation era in Canada through the eyes of the country's newspapers, observed that New Brunswick reflected the swashbuckling character of Saint John. The “Port City” was “ambitious and aggressive. . .and its people were vivacious and active.” Furthermore, there was a “vigorous Jacksonian license” about the province's politics.<sup>12</sup>

Saint John was an extraordinary commercial and news centre, and an important player in British North America's burgeoning exercise of free expression. The Saint John newspapers were fully engaged in the great issues of the day, the dominant one being whether New Brunswick should join Confederation. There were no fewer than five daily newspapers in Saint John: the *Daily Evening Globe*, the *Morning Freeman*, the *Morning News*, the *Morning Telegraph*, and the *New Brunswick Courier*. Of these, the *Morning Telegraph* (forerunner of today's *Telegraph-Journal*) was the largest and most credible paper, boasting a circulation of 12,000.<sup>13</sup> This compares to a circulation of just 3,000 for the *Morning Chronicle* in Halifax. Canada's Confederation was achieved almost a century after the American Revolution, but the process of nation building had a similar impact on free expression in the great metropolitan centres of the two countries. Saint John's five daily newspapers compared very favourably with those of Philadelphia, the cultural and publishing capital of the Thirteen Colonies, which had seven daily newspapers at the time of the American Revolution, even more than London, England.<sup>14</sup>

In New Brunswick, the *Morning Telegraph* was the definitive voice supporting the idea of a Confederation of British North America, while the *Morning Freeman* took a decisive role in defending Catholic and French rights in the New Brunswick schools question, which divided the province in the 1870s and gave rise to the Caraquet riots. New Brunswick's press displayed great vigour and a determination to wade into the toughest issues, although distinction between the roles of politicians and newspaper editors became blurred.<sup>15</sup> Following 1880, New Brunswick's press also reflected and contributed to the “scandal and mayhem” of the day. In the 1883-1917 period there were no fewer than eight New Brunswick premiers, and they drew their legislature support from an unstable party system. Many senior politicians moved seamlessly from provincial to federal politics. The newspaper affiliation of politicians was almost as important as their party affiliation and often there were important business relationships between premiers and newspapers; for

instance, press owners could expect to secure significant provincial government advertising in their newspapers if their man rose to power.<sup>16</sup>

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, who was called on to clean up the mess left by Premier Kidd Flemming, had been editor of the *Saint Croix Courier* in St. Stephen. The most prominent Tory paper, the *Daily Gleaner*, ended the political career of Emmerson with the allegation that while he 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. Then Premier Kidd Flemming was at the centre of the era's most serious scandal. Flemming came to power in 1912 with a massive majority but then resorted to desperate measures to hold his governing coalition together. A Royal Commission inquiry found one of Premier Flemming's deputy ministers guilty of extortion, and the Premier was found guilty of "compelling" a contractor to contribute funds to the Conservative Party. Virtually every newspaper in the province called for Premier Flemming's resignation, even the Baptist papers that were proud of him as one of the church's Sunday school teachers. Flemming resigned but soon came back to win a seat in the House of Commons by a landslide.

David Folster, author of *The Chocolate Ganongs*, offers a glimpse of the close ties between newspapers and politics in this era. Gilbert Ganong, prominent citizen of St. Stephen, successfully sought federal office in 1896 as a Liberal-Conservative (the Liberal-Conservatives were one of many hybrid ideologies that formed when the NB party system was gelling). With the editorial blessing of the local weekly, the *Saint Croix Courier*, in which he was a stockholder, Ganong was described by the paper as a "clever, shrewd, successful and public-spirited businessman. . ." After several years as MP in Ottawa, Ganong faced stiff competition in the election of 1908. The *Courier* unashamedly ran an endorsement and photo of Ganong on its editorial page. When Ganong lost to his local rival, the *Courier* lamented on its pages that the "heavens wept."<sup>17</sup>

The First World War dampened New Brunswick's wild free-press spirit. Those were hard days for the New Brunswick economy and the newspaper business. After Confederation, the tariff protection under the National Policy was widely seen as benefiting Ontario manufacturing and dealing a body blow to the New Brunswick trading economy. Areas of the NB economy such as textiles, sugar refining, and confectionaries did well under the tariff, but markets for staple products such as fish, lumber, and foodstuffs went into sharp decline. One newspaper longed for the good old days "when our waterfront was full of vessels looking for American markets."<sup>18</sup> Maritime political representation declined, as did the newspapers, which had so richly fed the political process. As has been the case in recent decades for young New Brunswickers, the west became the Promised Land for jobs and wealth.<sup>19</sup> One New Brunswick-based magazine of the day rather plaintively named itself *The Busy East of Canada* and sought to project an image of economic health for the province. However, it quickly seized on Maritime legislative union as a more attractive solution. The Maritime Rights movement stepped up with forceful demands such as restored Maritime representation in the federal House and more generous railway subsidies so that regional products could be competitive in the rest of Canada. But the Maritime Rights movement fell victim to the problems often faced by splinter parties and movements: popular sentiment outstripped political organization. Industrial interests that did relatively well under the National Policy consolidated their economic power through the century. Some looked to the newspaper business as a way of seeking new profits as well as influence over public opinion.

Through most of the 20<sup>th</sup> century, New Brunswick and other Canadian provinces continued with their less formal models of press and democracy. The American preoccupation with the press as a guarantor of freedom and good government culminated in the First Amendment to the US Constitution in 1791, which stated: "Congress shall make no law. . .abridging the freedom of speech or of the press."<sup>20</sup> Almost two centuries later, Canada placed comparable constitutional guarantees of press freedom in Prime Minister Pierre Trudeau's Charter of Rights and Freedoms in 1982. The Charter declared as a fundamental freedom the protection of "freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication. . ."<sup>21</sup> Yet, at the midway point in history between the national American and Canadian free press initiatives, New Brunswick had established its reputation as a swashbuckling press frontier. This reputation eroded through the twentieth century in tougher economic times and with a developing concentration of press ownership. The lofty words of the Charter of Rights about press and media freedom did little to restore a competitive and vigorous press in New Brunswick. In the golden age of New Brunswick's free press, the province's newspapers were thoroughly tainted by patronage and partisan politics, but they rarely hesitated to take a stand

on the great issues of the day or, when necessary, to bring the careers of opposing politicians to a rapid close. The New Brunswick newspapers of the day were rough-hewn but diverse, competitive, and vital.

### **K.C. Irving Newspapers: The Presses Keep Turning**

In a 1981 National Film Board documentary, K.C. Irving set out his primary reason for being in business, stating simply: "I like to see wheels turn."<sup>22</sup> The wheels of Mr. Irving and his family's industrial holdings turned smoothly and successfully across a wide range of sectors, including pulp and paper, saw milling, forestry, energy, manufacturing, retailing, property development, construction, heavy equipment, agriculture, aquaculture, food production, shipbuilding, and transportation. In 1946, Mr. Irving took a major step toward developing what would become an important sector in his empire, acquiring the *Telegraph*, the province's largest and most prestigious daily newspaper. Over the next twenty years, he quietly completed his acquisition of all the English language dailies: *The Evening Times-Globe*, for many years the sister paper to the *Telegraph*; the sister morning and evening Moncton dailies, *Moncton Times* and *Transcript*; and lastly the evening *Fredericton Daily Gleaner*, which has since become a morning paper.<sup>23</sup> Mr. Irving and his three sons, James (J.K.), Arthur, and the late John (Jack), extended their reach to other media fields—publishing, news distribution, the on-line Canada East news site, magazines, radio, and television interests—emerging as the most powerful combined media and industrial empire in Canada. It was K.C. Irving's acquisition of the fifth and last daily, the *Daily Gleaner*, which was the most controversial. The date of the acquisition is not clear, but the *Gleaner* could not have been more loyal to K.C. Irving and his objectives. It conducted an unrelenting campaign in the 1960s against Premier Louis Robichaud's Equal Opportunity program, which radically transformed the province and ensured that educational, social, and municipal services would be delivered fairly to all regions of the province. Richard Wilbur's *The Rise of French New Brunswick* illustrates the urgency of the Robichaud government to make service delivery equitable across the province: at the time, Saint John County was spending \$312 per student on education, compared to Gloucester County, which could only muster \$144 per student.<sup>24</sup>

With the *Gleaner's* campaign against Equal Opportunity, it was not immediately apparent whether Michael Wardell, publisher and owner of the *Gleaner* and the regional magazine, *The Atlantic Advocate*, simply shared K.C. Irving's views, was making his assets attractive for sale to the Irvings, or if K.C. Irving had already bought the *Gleaner*. Regardless, in its editorials and political cartoons, the *Gleaner* waged the most virulent press campaign against a Premier and government ever seen in the province. A few years later, K.C. Irving appeared before the Davey Commission and identified the date when he took over ownership of the *Gleaner* as 15 May 1958. He quickly corrected himself, saying it was 15 May 1968.<sup>25</sup> But there had been no announcement at the time, and it wasn't until Senator Charles McElman, who had been a powerful strategist and advisor to then Premier Louis Robichaud, announced on the floor of the Senate on 11 March 1969 that the Irving daily newspaper monopoly was complete. The following day the *Gleaner* confirmed the transaction. There could be no doubt about the position of the *Gleaner* on Equal Opportunity and Premier Robichaud. The Premier was depicted in cartoons as King Louis XVI of France, the leader of a corrupt and crumbling government with rats shown fleeing from under his robes. Another cartoon showed the Premier in a French-Revolution-style guillotine, about to pay with his head for his sins against New Brunswickers.<sup>26</sup> The *Telegraph* was also actively involved, carrying a long anonymous letter to the editor bitterly opposing Equal Opportunity and coining what became the famous slogan that EO was "Robbing Peter to Pay Pierre," an incendiary allegation in the delicate French-English balance of New Brunswick.

A senior official in the Robichaud government, Fred Drummie, has stated that the slogan was actually penned by Michael Wardell.<sup>27</sup> At the height of the Equal Opportunity controversy, K.C. Irving testified at length before the Law Amendments committee of the Legislature, arguing that the removal under Equal Opportunity of special tax and water rate concessions to industry such as Irving Pulp and Paper in Saint John would severely damage the business interests of the Irving companies. Until Equal Opportunity, municipalities such as Saint John subsidized their own local businesses by providing them with tax and utility concessions. The Robichaud government argued that poorer municipalities with smaller tax bases had less ability to attract industry than those able to offer tax concessions, thus perpetuating economic inequalities in the province.

The anti-Equal Opportunity fight by the newspapers prompted a counter-attack by Senator Charles McElman, who had been appointed to the Red Chamber in 1966. Senator McElman was a vigorous opponent of the Irving media monopoly. He sat on the Davey Commission into the Mass Media in Canada, but not without having his independence

strongly challenged by Ralph Costello, publisher of the *Telegraph-Journal*. The Commission's report, *The Uncertain Mirror*, described as "dead right" the comment to the committee by Dalton Camp, the influential national columnist, that "New Brunswick may have more daily newspapers (six) per capita, than any state or province on the continent, other than an obvious exception, Prince Edward Island."<sup>28</sup> The Commission commented in its report: "We don't think they quite qualify as 'diverse and antagonistic voices.' But it is at least arguable that the province is better off with a home-owned media monopoly than one controlled from Toronto or Winnipeg."<sup>29</sup>

The federal government chose not to act on most recommendations of the Davey Commission, including the proposed Press Ownership Review Board, which was to review new acquisitions on the principle that "concentration is bad—unless proved otherwise." Even if it had been implemented, the Review Board would not have touched New Brunswick's situation, as the concentration was already in place and the Board was not to act retroactively.<sup>30</sup> Nonetheless, the Commission's report was an important source of information on other fronts. For instance, *The Uncertain Mirror* noted that the Irving-owned Saint John television station, CHSJ, reached an astonishing 94.9 per cent of New Brunswick households.<sup>31</sup> Given this overwhelming presence in one market, the Canadian Radio Television Commission (CRTC) took several measures beginning in the 1970s to address electronic media issues. The CRTC required that satellites be installed to ensure that viewers in Moncton and Saint John could also receive the television signal from the other city, thus creating some choice in viewing options. Despite the outrage by the Irvings, the CRTC later ordered the sale of the Irving-owned CHSJ to the CBC, which, until then, broadcasted a limited range of CBC English-language programming. The CBC located its newly acquired station in Fredericton with additional news reporting and production from Moncton and Saint John. The increased CBC television independence and strength in the province was the most important development in the state of free speech and the free press in New Brunswick in over sixty years.

Also following the Davey Commission report in 1971, the Government of Canada carried out its unsuccessful Combines Act prosecution of the Irving media. The Irvings put up a spirited patriotic defense of their ownership position, asserting that without their strong presence, the press ownership would very likely pass out of the province. Influential columnist Dalton Camp was again a convincing witness on behalf of the Irving press. Camp said the Irving papers had improved more than any comparable group of papers during the previous decade. "There. . . were criticisms from press critics when the Irving papers expressed no editorial positions," testified Camp. "Once the Irving papers began to express an opinion against the government it became a monopoly."<sup>32</sup>

A decade after the Davey Committee, Senator Keith Davey told the CBC that "obviously our recommendation for action on concentration of media ownership was ignored."<sup>33</sup> The debate resumed with the hearings of the Royal Commission on Newspapers (1981), chaired by Tom Kent. The Irving brothers drew media attention in their own right when Arthur Irving, who appeared before the commission along with his brothers, J.K. and Jack, grew "very angry" at the suggestion that the Irving newspapers intimidate their employees. Arthur Irving stated: "We know in our own mind that we are correct, and it's delightful to be here with you because if we knew we had done something wrong we wouldn't feel as comfortable as we do."<sup>34</sup>

The Kent Commission was launched in the midst of a radical realignment of media ownership, symbolized by the 27 August 1980 simultaneous closure of two dailies, the *Ottawa Journal* and the *Winnipeg Tribune* to clear the way for local market dominance by the *Ottawa Citizen* and the *Winnipeg Free Press*. The country had grown far more sensitive to national and regional press ownership issues, including the Irving family chain. Julian Walker, the editor of the independent *Saint Croix Courier* and a former *Telegraph-Journal* and *Ottawa Journal* reporter, told the Commission in 1981:

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, and this was particularly obvious several years ago during the allegations of a system of political kickbacks in the province. At a time when. . . people were coming out of the woodwork to tell their kickback story and a Moncton television station with a shoestring news budget managed to break several news stories, the Irving flagship paper, the *Telegraph-Journal*, sat dutifully in the legislature recording the furor, but not managing or bothering to break a single news story on the matter. The situation

was an embarrassment to at least some of the members of the news staff at the time. It is not unreasonable to suggest that the . . . (poor) reputation of New Brunswick politics, with its deep-seated patronage, its preference for personality over substance, its inability to produce. . . difference in philosophy between the two major parties in the province, can be attributed to a large extent to the weak state of the press here. A hungry press would likely have brought things onto a higher plane long ago.<sup>35</sup>

In a similar vein, Campbell and Hunt, the iconoclastic biographers of K.C. Irving, made the link between the quiet journalistic approach of the Irving press and the corporate interests of the wider Irving empire:

Because of all that publicity, many of the more spectacular abuses of the public trust which have resulted from the Irving media monopoly are also now well known. The way in which the papers have shied away from any meaningful investigation of industrial pollution in New Brunswick, for instance; the long-standing conspiracy of silence about Irving's business dealings; the media's secrecy about its own ownership; and the astonishing way the papers treat Irving as what the *Telegraph-Journal* once called him—the voice of New Brunswick—all have become part of Canada's common stock of knowledge.<sup>36</sup>

Contrary to impressions that K.C. Irving thirsted for the prestige of media ownership in the manner of a Conrad Black, it is best to remember Mr. Irving's comments to the Davey Commission. Asked whether he treated the acquisition of newspapers differently than the acquisition of other commodities, Mr. Irving answered, "So far as a good commodity itself, I deal with all good commodities and I put the newspaper business in the same category."<sup>37</sup> For its part, the Kent Commission had divestment in mind. It recommended that under its proposed Newspaper Act, the Irving interests be required to "divest themselves of either their two-in-one papers in Saint John or their similar Moncton papers. They would also have to decide, under the rules of cross-media ownership, whether to keep the Saint John papers or their television and radio stations."<sup>38</sup>

However, little action was taken in the fifteen years following the Kent Commission. When the Senate picked up the matter again, the Irving control over the province's newspapers had deepened. Senator Joan Fraser, a member of the 2006 Bacon Committee of the Senate (Report on the Canadian News Media) said in an interview: "We didn't find anywhere else in the developed world a situation like the situation in New Brunswick."<sup>39</sup> The committee noted that in 2002-2003, the Irvings had bought two groups of New Brunswick community newspapers from David Cadogan and David Henley as well as one community paper from the Transcontinental group, bringing its total ownership of community papers to six English and six French.<sup>40</sup> To deal with the concentration issue, the Bacon committee recommended strengthening the federal government's Competition Bureau so it could intervene proactively in non-competitive situations, a suggestion unwelcome to many newspaper owners.

There are several common elements in the work of the three media commissions as well as the Combines prosecution of Irving. Increasingly, the commissions focused on the combined media and industrial ownership, which makes the New Brunswick situation unique in the country. National commentators noted the province's very high number of newspapers per capita in New Brunswick, and successive commissions, particularly the Bacon Committee, found that the Irving media control had increased. And the trend would continue.

The word "control" was often used to explain the Irving's interest in maintaining a very high number of newsprint papers for a very small population. As seen with the deaths of the *Montreal Star*, the *Ottawa Journal*, and the *Winnipeg Tribune*, newspapers find it "easier" to operate in a one-newspaper town. Certain very large markets like Toronto are the exception, but across the country over the last thirty years, the trend has been to eliminate competition by takeover or domination of the market. The fierce Irving competition with the *Carleton Free Press* indicates that the Irvings will compete when necessary, not to reflect John Stuart Mill's free marketplace of ideas but to eliminate competition. Domination of the local scene yields greater freedom in setting advertising rates. It also can result in the trimming of newsroom budgets. When one owner controls virtually all media outlets in a market area, there is an inevitable limiting of public debate. This does not mean that every word published will be watched and censored, but a quiet and uncritical environment can develop. In recent years, the *Telegraph-Journal* has shown another area of "control" where the newspaper has sought to influence strongly the policy and action of government in the apparent interest of other branches of the Irving empire. For instance, as will be explored below, the Irvings pursued a low industrial power rate agenda very

forcefully with the provincial government both before and during the debate over the sale of NB Power. Municipal issues have also been pursued aggressively. These efforts have all been very much in line with exerting “control” to achieve desired results.

### **The New Telegraph: A New Promotional Role**

Jamie Irving, great-grandson of K.C. Irving and the first member of the Irving family to serve as publisher of one of the family newspapers, launched a short-lived television advertising campaign in 2006. It described the *Telegraph-Journal* as a “public trust” and guardian of the good of the province.<sup>41</sup> While the new publisher may have been well-intentioned in his “public trust” claim, the reality of Irving-owned Brunswick News’ extraordinary incursion into the independent weekly newspapers of the province hardly signified a trust, let alone a public one. The “public trust” advertising campaign harkens back to the *Telegraph* dubbing K.C. Irving as the Voice of New Brunswick. Some sought to romanticize the connection between the great-grandson journalist and his great-grandfather, who bought his first daily newspaper sixty-four years ago. But the 2004-2009 era saw a clear booster role for the Irving papers in favour of Irving projects and interests.

With a Masters in Journalism from Columbia University, Jamie Irving was the first member of the Irving family to take an active interest in the editorial side of the media empire. He brought a number of innovations to the newspaper, most notably the successful Saturday arts section, “Salon.” Considering Jamie Irving’s journalistic credentials, many were optimistic that he would carve out a more independent stance for the *Telegraph*. To his credit, the paper editorialized against the high-pressure methods used by Irving Oil to achieve a twenty-five-year tax break from the City of Saint John for its proposed LNG terminal.<sup>42</sup> The newspaper called on council to revisit the deal. However, this new era at the paper came at a time of upheaval for the family as a whole, as the late K.C. Irving’s three sons engaged in talks to divide the assets of the Irving industrial empire.<sup>43</sup> The newspaper was in a delicate position as a result of the increased separation of the original family empire. With major Saint John construction projects in the offing, such as the Irving-Repsol LNG terminal, a second Irving oil refinery in the city, and a new waterfront headquarters for Irving Oil, the *Telegraph* appeared more dedicated than ever to promoting Irving industrial projects.

The announcement of the second oil refinery project was trumpeted by the *Telegraph-Journal* with a banner headline on page one: OUR BLACK GOLD.<sup>44</sup> The phrase played on New Brunswick’s need for jobs and the considerable angst over losing so many young people to oil-rich Alberta. While local media often show patriotic fervour over important community news, the fact that this particular excitement was coming from Irving media in favour of the largest-ever Irving project indicates that more than just civic boosterism was at play. There was also strong *Telegraph* support for the Liberal government of Shawn Graham before and after the 2006 election. The newspaper and Mr. Graham’s government have displayed almost identical views on the development of Saint John as an Energy Hub, the LNG terminal, the second oil refinery, and the possible second reactor at the Pt. Lepreau nuclear generating plant outside Saint John. Of these, only the LNG terminal has gone ahead. When it was announced by Premier Graham that Atomic Energy of Canada and its private partners would pay for a second reactor feasibility study, the news prompted the *Telegraph*’s page one headline: NO RISK, HIGH REWARD. The record of the unrealized second Lepreau reactor project over several decades would indicate that the newspaper had every reason to be more skeptical and less promotional. Speculation about Lepreau II was again amply present in the summer of 2010, as has been the case periodically for the past thirty-five years.<sup>45</sup>

In some cases where provincial government approval was being sought by the Irvings, the *Telegraph* gave prominence to Irving proposals. Well before the Graham government made lower power rates for industry a major priority with the proposed sale of NB Power to Hydro-Québec, the *Telegraph* gave strong coverage to J.D. Irving, father of Jamie Irving, in his vigorous campaign for lower power rates for large industries.<sup>46</sup> When the Graham government later brought forward its proposed Hydro-Québec deal, the government had accepted that the large industrial power users needed drastically reduced rates.

For much of the K.C. Irving era of newspaper ownership, both the *Telegraph-Journal* and CHSJ television and radio were presided over by Publisher and President, Ralph Costello. Along with Douglas How, Costello was trusted by the Irving family with the task of writing the official biography of K.C. Irving.<sup>47</sup> Costello and his long-time *Telegraph* editor-in-chief, Fred Hazel, were cautious about newspaper forays into politics, such as endorsing candidates or too forcefully putting forward Irving corporate positions in the newspaper. As publisher of the *Telegraph*, Jamie Irving departed from the Costello/Hazel caution. In the 2008 municipal election in Saint John, the paper overtly backed the

candidacy of Michelle Hooton, then Deputy Mayor, over Ivan Court, who was perceived to be less well disposed to the Irvings. When Hooton declared during the campaign that the “current mind-set of ‘Tax and Spend’ must stop,” the newspaper hailed the announcement on the City news page with a headline declaring “Hooton Hits Home Run.”<sup>48</sup> Despite the enthusiasm of the newspaper for Ms. Hooton, Mr. Court won the election, with Ms. Hooton running a distant third.<sup>49</sup> The newspaper’s displeasure with Mr. Court carried into his tenure as Mayor. His failure to endorse enthusiastically the proposal of Fort Reliance, holding company of Irving Oil, for a new \$30-million headquarters building greatly displeased not only the oil company but also the newspaper. They objected to the Mayor’s seeming attentiveness to the views of the Longshoreman’s Union, which was opposed to giving up a large portion of the City’s port lands for the large new headquarters. Although the Irving Oil project was eventually blessed by city council, the *Telegraph* continued to oppose the Mayor’s handling of the situation, leaving the impression that the newspaper was still unwilling to accept the election of Mr. Court. It was an approach reminiscent of the *Daily Gleaner* in the Equal Opportunity era.

The newspaper’s allegation of free spending and mismanagement at City Hall was entwined with its ongoing fight to topple the Saint John City Manager, Terry Totten. The pressure was intense, and one *Telegraph* columnist called Totten “an embarrassment of a leader at City Hall.”<sup>50</sup> Totten eventually did resign and Mr. Court then advised City Council of an earlier meeting he had with the publisher and editors of the *Telegraph* in which Jamie Irving allegedly stated that the paper’s tough coverage of City Hall would only change if the Mayor would lower taxes and fire Mr. Totten.<sup>51</sup> This version of events suggests that the newspaper was a full-fledged actor in the drama, rather than delivering its viewpoints in its editorial pages. The media have great power in being able to express opinions in print, on the airwaves, or on the Internet, but when those opinions are expressed publicly for all to read, see, and hear, there is then a measure of accountability to the public.

The *Telegraph*’s firing of St. Thomas University student intern, Matt McCann, added to a period of unusual decisions by the senior ranks of the newspaper. The story for which Mr. McCann was fired described extensive opposition by UNB faculty to Premier Graham’s pending receipt of an honorary degree from the university. The editor of the paper, Shawna Richer, stated that Mr. McCann’s article, carried by the newspaper on page one (normally an indication of a high degree of confidence in a story), had embarrassed the newspaper and contained errors of fact and judgment that “don’t constitute acceptable journalism at the *Telegraph-Journal*.”<sup>52</sup> It was alleged that Mr. McCann had misspelled a person’s name and identified an official as “university secretary for UNB Fredericton” instead of “university secretary for UNB.” Craig Silverman of the *Columbia Journalism Review* stated that the errors should not have appeared in the story but that he “had never heard of anyone being let go for mistakes of this nature.” Premier Graham’s office offered sympathy and help to Mr. McCann in finding a job.<sup>53</sup>

Although Jamie Irving continues to be closely associated with the *Telegraph*, his name came off the newspaper’s masthead in the summer of 2009 after an incident that became known as Wafergate. The paper ran a story that Prime Minister Stephen Harper had placed his communion wafer in his pocket at the funeral of former Governor General Romeo LeBlanc. Video reports of the service did not show the pocketing cited by the paper, nor did they show the Prime Minister eating the host. Mr. Harper called the story a “low moment” in journalism, and, with pressure mounting to verify its story, the *Telegraph* apologized. Jamie Irving and editor Richer were suspended, and Richer was later fired. On 9 September 2009, James D. Irving, president of Brunswick News and father of Jamie Irving, announced that Neil Reynolds, who had previously been editor of the Saint John dailies (1992-1996), was to take over as “editor-at-large.” Jamie Irving would remain as vice-president of Brunswick News. In a bizarre reporting arrangement, the announcement noted that “Jamie Irving will continue to be responsible for the day-to-day operations of the newspapers. Mr. Irving will report to Mr. Reynolds on matters related to editorial policies, standards, and journalistic practices.”<sup>54</sup> Mark Tunney, a St. Thomas University journalism instructor and a former editor of the *Telegraph*, praised Mr. Reynolds as “one of the great Canadian newspaper editors.” In fact, the earlier period when Mr. Reynolds was editor has been described by many as the golden age for the *Telegraph-Journal*; however, it was also turbulent, with Mr. Reynolds being hired, fired, and rehired during a four-year span.<sup>55</sup>

One of the Irving media’s most controversial actions since 2000 has been the extension of ownership by Brunswick News over the weekly newspapers of the province. The Brunswick News holdings of French and English New Brunswick newspapers as of 2010 are as follows: the *Telegraph-Journal*; the *Moncton Times & Transcript*; the *Daily Gleaner*; the *Bugle-Observer*; *L’Etoile* (with the following editions: Provinciale, Cataracte, Chaleur, Dieppe, Kent, Péninsule, République, Restigouche, and Shediac); [here] newspaper in Saint John, Fredericton, and Moncton; *Le Journal*

*de Madawaska*; the *Kings County Record*; the *Miramichi Leader*; the *Northern Light*; the *International Money Saver* in Charlotte and Sunbury counties and Washington County, Maine; *This Week* in Riverview and Moncton; the *Tribune* in Campbellton and Dalhousie; the *New Brunswick Business Journal*, province-wide; *Wheels* provincial auto section in the three dailies; the *Post Gazette* in Oromocto, and sister publications *Community Neighbours This Week* and *Northside this Week* in the Greater Fredericton area; the *Victoria Advertiser* in Victoria County; and canadaeast.com, the online edition of the three dailies.<sup>56</sup> [A handful of newspapers remain independent, including the venerable Sackville *Tribune Post* (est. 1902) and the *Saint Croix Courier* (est. 1865).<sup>57</sup>] Through Acadia Broadcasting, the Irvings own three New Brunswick radio stations and one in Nova Scotia, and through Northwood Broadcasting, several radio stations in smaller communities in Northern Ontario.<sup>58</sup>

Brunswick News also moved aggressively in the face of competition from the lively Saint John entertainment paper, [*here*], and the upstart *Carleton Free Press*, founded by Ken Langdon, a former publisher of the Irving-owned *Bugle-Observer*. In the case of [*here*], the Irvings bought the Saint John paper, and the *Carleton Free Press* closed its doors in 2008 after a protracted news, circulation, and advertising fight with the Irving-owned *Bugle-Observer*.

### **The *Telegraph* embraces the NB Power deal**

This article does not seek to draw a conclusion on the pros and cons of the NB Power Hydro-Québec deal. The focus here is on how the Irving press, and in particular the *Telegraph-Journal*, handled the issue. As noted earlier, the day after the Premier's announcement, the *Telegraph* endorsed the proposed sale of NB Power to Quebec. This was, in the view of one analyst, the province's most important public policy issue in thirty-five years.<sup>59</sup> Was there not a single question that came to mind for the newspaper (and made public in its editorial pages) on an issue of this magnitude? Given its earlier support for J.D. Irving's campaign for lower power rates, perhaps the paper's pro-sale stance should not have been surprising. To his credit, J.D. Irving had made his earlier pitch directly to the public, and he did not limit his arguments to private meetings in the corridors of power.<sup>60</sup> What was surprising was that the newspaper adopted its position on the proposed sale of NB Power to Hydro-Québec with such haste and without apparent regard for its need to gather information or take the advice of the great free-press theorists that a free press should foster debate.

The newspaper kept its letters to the editor page open and included dissenting voices there. But these did not influence the paper's stance, first stated on 30 October 2009 and then clearly stated again on 14 November 2009:

If you care about protecting the environment, switching the bulk of New Brunswick's electrical consumption to clean, surplus hydroelectricity makes the most sense. If you want lower power rates, this deal is the only way to provide them—NB Power cannot, and neither can the Maritime Provinces. If you want to lower the provincial debt and tax burden as well, the memorandum of understanding offers the only logical way to do so.<sup>61</sup>

The editorial included condescending comments such as, "It's time to drop the empty, ideological rhetoric in the debate over N.B. Power. . ." and "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." What about the role of the free press to bring out the pros and cons of a difficult issue? Mount Allison University professor, Erin Steuter, a critic of the Irving press, decried the fact that the people of the province did not have access to all sides of the issue as they tried to educate themselves. According to Steuter, the government has not provided documents on the essential details of the revised agreement for the public to examine, and the Irving-owned media failed to investigate the sale's potential damage to the province:

Monopoly media ownership means that there is very little journalistic investigation available to New Brunswick readers. The Irving papers regularly take identical stances in their editorials, cover similar news stories, and regularly ignore and marginalize certain topics, most notably environmental issues, and in this case, the importance of local control of energy and economic development."<sup>62</sup>

The newspaper chose not to publish energy columnist Roy MacMullin's eighth column on the NB Power deal. Instead, the columnist posted the following comments on his blog:

To be fair to the paper, they have published letters and op-ed pieces against the deal. However, that doesn't really compare to the constant barrage of editorials and front page news articles that

trumpeted the public relations framework of the government. One can expect a newspaper to exhibit a bias at times, but where it becomes problematic to society is when the owners of the papers are the beneficiaries of the government deal they are promoting through their media. That's what we call a conflict of interest that is beyond acceptable levels to our democracy. On Wednesday, the 24th of March, Premier Graham announced the end of the deal.<sup>63</sup>

## The Future New Brunswick Free Press

With some notable exceptions, such as during the Equal Opportunity controversy or the Irving Oil headquarters issue, the Irving media monopoly has fostered an environment of agreement, sameness, and quiet in New Brunswick. The media control becomes more insidious because it is combined with the major Irving control over the industrial life of the province. We have seen that the views of the *Telegraph-Journal* and those of the industrial empire were in complete accord during the debate over the proposed sale of NB Power to Hydro-Québec. This does not necessarily prove a cause and effect. But the record of the *Telegraph-Journal* in particular over the last several years indicates there is symmetry between the two. And where there is an added ingredient of a government that agrees on many key points with both the newspapers and the industrial power, as was the case with the NB Power deal, there is an unhealthy aligning of the stars. It is the job of a free press to lay bare and, if need be, oppose such developing alignments rather than be a willing partner to them.

A free press and liberal democracy *do* go together. New Brunswick's golden age of free expression following Confederation co-existed with a rollicking frontier-style democracy, and in many cases journalists and politicians, for good or for bad, could not be differentiated. Even more noteworthy at the time was the strength of New Brunswick's economy and its stature as a key North American centre for commerce and trade. An independent and energetic "free press" was a vital part of the "free trade" mentality of traders and business owners in that successful era. We have seen that both New Brunswick's economy and its free press slumped early in the twentieth century. Interestingly, in more recent times, the Irvings have been strong advocates for free trade as they sought unrestricted access to the United States market for their petroleum and forestry products.

Some will argue that running a media company is tough in these days of recession and that, by keeping a wide array of newspapers operating, the Irvings are providing a service to the province and maintaining hundreds of jobs.<sup>64</sup> One of the results of their blanket control, however, is that there is a serious lack of entrepreneurship in the province's media sector. There are skilled media business people here, but many of them have sold their businesses to one player. The Irvings employ skilled managers and pay them well, but these managers are not running their own independent media businesses and their skill is as managers, not entrepreneurs. We have all but lost a generation of New Brunswick media business people who live by their wits, innovate, ride the wave of rapidly advancing technology, make strategic investments, and, overall, run their own successful businesses. Economies of scale can be a factor in newspapers, just as in any business, but the Irving domination in the New Brunswick media market goes well beyond the need for such scale.

Few journalists in New Brunswick have not at least started their career working for the Irving newspapers. Many great journalists have worked or still do work for papers like the *Telegraph-Journal*. Investigative stories are written and news is broken in these papers. But rarely, if ever, is a great series of investigative stories published about one of the sensitive subjects of the Irving industrial empire, such as whether it is sensible to subsidize "older" industries such as pulp and paper with lower power rates, or how the provincial government can better manage the woodlands of the province given its faltering control over Crown lands and the vast freehold land ownership of the Irvings, or the reality of water and air pollution in the Saint John area, home of two large Irving mills and one oil refinery. Of course, no one picks up the phone in the morning from Irving headquarters and says "don't do these types of stories." "It's not like there are huge bits of white space in stories that touch on the Irvings," said one former reporter and columnist.<sup>65</sup> Reporters see quickly what type of stories can win them page one by-lines and award nominations. Journalists who believe that their job is to seek the truth and hold a mirror to what is happening in their communities know that monopoly control of the newspapers combined with ownership of a major portion of the economy is not sustainable. The Irvings are admirably patriotic about New Brunswick, and many members of the family have been extremely generous to local causes and organizations, from the Bouctouche Boardwalk to the Imperial Theatre. They rightfully pride themselves in running solid businesses and employing thousands of New Brunswickers, but their domination of the media sector appears to be more about control than about altruism.

In seeking media alternatives for New Brunswick, some would like to substitute an outside chain for the one that already exists in the province. Others would launch an independent new newsprint daily in the province; however, the heavy capital investment needed for such a project makes it impractical without backing from another Canadian newspaper chain. The overall decline of print newspapers has made problematic the start-up of new newsprint dailies anywhere in the world. With the continuing world financial crisis, an incursion into the small but likely hostile market of Irving-owned New Brunswick media is unlikely. Now more than ever, the Irving media strategy seeks control rather than reaping massive profits from a particular media outlet.

A more practical possibility would be to create an Internet, newsprint, or blended on-line and newsprint weekly newspaper in a city such as Fredericton. The *Daily Gleaner* enjoys a lucrative advertising market and in recent years is the “quiet sister” of the Irving dailies. Any newspaper starting up in the capital would face robust competition from the *Gleaner*, but also from the Irving’s Fredericton and youth-orientated [*here*], now an uninspired edition which could be expected to spring to life if a competitor came on the scene. If a new paper was a newsprint edition, it could likely be printed by the trust fund-supported French daily, *L’Acadie Nouvelle*, reducing the need for a major investment in a printing press. There is a long tradition of Fredericton alternative magazines and newspapers, such as the influential *Mysterious East* and the hard-driving *Plain Dealer*, both with a provincial focus, or community-orientated examples such as the *Northside News*, later bought by the Irvings. Unless Brunswick News has a change of heart about fighting off intruders, it is likely that it would be highly motivated to do battle with any new weekly paper, as it did with Woodstock’s *Carleton Free Press*. Still, a new weekly paper would be less daunting for local investors, who would need to be patient and possess deep pockets.

Kenneth Whyte, the current editor of *Maclean’s* magazine and founding editor of the *National Post*, has made a strong pitch for what he calls the “reader-based” approach to the “new” newspapers, as opposed to an “advertising-based” model.<sup>66</sup> Whyte believes a lively, competitive, and courageous press will result from a reader-based approach, as opposed to one that seeks first to perpetuate advertising revenue through editorial blandness. While not commenting directly on the New Brunswick situation, Whyte believes the advent of the single-newspaper urban centre in Canada has led to lazy and unchallenging journalism. Currently, *Maclean’s* receives 50% of its revenue from subscriber and newsstand sales, and 50% from advertisers, a balance that Whyte believes is healthy for maintaining a strong editorial stance. *Maclean’s* appears to be succeeding with White’s incisive, often sensationalist, approach. It is worth noting that a reader-based approach could be implemented on an Internet paper, a blended newsprint-Internet paper, or more traditional newsprint forms.

Many would argue that a new independent newspaper in the province should say goodbye to a newsprint edition altogether. There is little doubt that the economics of print newspapers have fallen away dramatically in the current recession. In his essay, “Newspapers and Thinking the Unthinkable,” Internet and newspaper guru Clay Shirky states, “It makes increasingly less sense even to talk about a publishing industry, because the core problem publishing solves—the incredible difficulty, complexity, and expense of making something available to the public—has stopped being a problem.”<sup>67</sup> Regardless of the form that new newspapers would take in New Brunswick, there is a need for a complete reinvention of the newspaper for the second decade of the century. An Internet newspaper has a number of cost advantages. As Shirky notes, the cost of printing and distributing can be completely eliminated. There is great flexibility with regard to layout and space. Despite these amazing advantages, Internet newspapers would need to work hard with readers to forge loyalty amid the massive choice available on the web.

New Brunswick has a sharp division within the media market between those who prefer reading a newsprint edition and those, particularly younger, readers who are likely to ask questions such as: “Who buys newspapers anymore?” Internet-savvy young people complain that the canadaeast.com on-line edition of the three Irving dailies is of poor quality and that the Irvings have not put their heart into on-line journalism. On the other hand, many New Brunswickers over 30 seem to be attached to newsprint editions. They say they like finding local news, sports, lifestyles, classified ads, and obituaries in the traditional place of their paper. Technology is advancing constantly and addressing challenges such as assuring advertisers that their promotions will reach potential customers in a defined local area (e.g., why would a retailer advertise her product to the world when it is only realistic to expect local shoppers to buy a particular product?). Most world news or information can be Googled with no more than the click of a mouse, yet local news is the bread and butter for most newspapers, and it is much more expensive to gather.

There are now many successful models of Internet newspapers. An on-line daily that is firmly rooted in its community is Florida's *St. Petersburg Times*.<sup>68</sup> Although St. Petersburg is a medium-sized city of 250,000, the *Times* presents an exciting example of how a daily newspaper can mount what is effectively a 24-hour news operation. The Pulitzer Prize-winning paper has a visually pleasing format and has won acclaim for its content and rigorous reporting. The city of St. Petersburg would, at first blush, appear to be appropriate as a model for a New Brunswick experiment; however, the *Times* draws on a large metropolitan base, including Orlando, Tampa, Sarasota, and Clearwater. Orlando alone is the 21<sup>st</sup> largest metropolitan area in the United States, at 1.6 million people. Thus, the *St. Petersburg Times* model, if applied to the English readership of New Brunswick, would likely have to achieve incredible circulation in the small New Brunswick market to succeed. New Brunswick has its own on-line examples of quality blogs and on-line newspapers. For instance, the *NB Media Co-op* offers an independent alternative, giving a forum for such Irving media critics as Erin Steuter. For New Brunswickers seeking a model of investigative journalism, the *Voice of San Diego* is a hard-hitting example. This small web-based paper with a staff of eleven has, since its inception in 2005, uncovered many of San Diego's darkest secrets—including conflict of interest at City Hall, hidden pay raises, and doctored crime statistics. The paper's "hard digging investigative reporting stands out in an Internet landscape long dominated by partisan commentary, gossip, vitriol and citizen journalism posted by unpaid amateurs."<sup>69</sup> A newspaper in the true sense of the word, the *Voice of San Diego* regularly and courageously breaks news. Despite San Diego's sizable population base of 1.2 million, *Voice of San Diego* has had to address the difficulty of a short-fall in advertising revenue. Its web pages are dotted with invitations to make donations to the enterprise, and the appeal is similar to that seen on the Public Broadcasting System (PBS). The paper is allying itself with several similar small on-line newspapers to attract national advertisers and grants from foundations. While this type of paper could quickly make itself relevant and well-read by decision-makers in New Brunswick, the average local reader would possibly view it as rather "unapproachable" unless it also provided community staples such as local news, high school sports coverage, arts news and features, court news, obituaries, etc. Community reporting provides the bread and butter, and investigative reporting, the gravy.

## Conclusion

Three major federal commissions have failed to produce significant change in Canadian media concentration. Politicians have been reluctant to confront the problems of an industry on which they are so dependent for news coverage. The main result for New Brunswick of the three studies is that the province now has a free-standing CBC television station. During the NB Power controversy it was the CBC and its comment boards that many citizens turned to for an independent forum for debate. But the CBC does not provide a complete answer, and newspapers remain a vital part of the media picture. The federal government can help, but New Brunswick cannot continue to rely on Ottawa to produce a full solution to what is the province's most serious problem. One of our party leaders in New Brunswick likens the provincial media monopoly to a jury trial where all the members of the jury are brothers and sisters.<sup>70</sup> We must ask whether an independent verdict could result. His is a telling analogy, and recently provincial politicians have awoken to the seriousness of the issue. A political panel composed of legislators from three of New Brunswick's four main parties recently agreed that a made-in-New Brunswick process be launched to discuss and debate the issue of the media monopoly in the province and what can be done about it. The fourth main party, the Liberal Party, does not, as yet, acknowledge publicly that there is a problem. As noted by Roger Duguay, leader of the New Brunswick New Democratic Party, perhaps the province's political parties grow less concerned about the media monopoly the closer they are to winning or keeping power.<sup>71</sup>

Jack MacDougall, Green Party Leader and self-professed "lover" of the Irvings, holds out hope that the Irving family will find the solution by divesting themselves of their newspapers, perhaps to a foundation.<sup>72</sup> Certainly, if new competition comes along, the Irving family would not gain much in the eyes of customers and supporters if they launched another fight such as they waged against the fledgling and now defunct *Carleton Free Press*. Equally, the heavy backing of the Irving press for the deal to sell NB Power to Hydro-Québec in the winter of 2009-10 surely has shown the Irvings that far from assisting the large industrial users in getting a break on their power rates, their newspapers' unqualified support for the deal *hurt* their chances. The break for large industry *did not* go through. The public longed for transparency from the government over the NB Power deal and for an opportunity to have input into it. When citizens did not achieve a meaningful role, concern gave way to suspicion and opposition. The province has never seen such negativity expressed about the Irvings and their media as was evident during the NB Power controversy. At some point, such public anger cannot be good for business. New Brunswick needs entrepreneurship and innovation, a lively and productive

Legislature, a vital press, and all of these are in the direct business interest of modern and increasingly diverse Irving enterprises.

A project to fan the embers of a struggling free press in New Brunswick has a strong foundation in the province's rich history of free expression and the free press. Few cities in North America can match the Confederation-era tradition of Saint John with its five daily newspapers taking strong positions on the great issues of the day. Today, New Brunswick needs to draw on the lively, irreverent, and courageous journalism of that earlier time. With some exceptions, the province's press is bland and predictable on many fronts but then unabashedly supportive of Irving industry. The Irvings clearly see it as in their interest, for purposes of control or profit, to operate thirty daily, weekly, or local edition newspapers in the province. Largely as a result of the NB Power debate in the winter of 2009-2010, this monopoly power is being challenged, and for the first time change is now seen as necessary and possible.

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## Endnotes

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<sup>2</sup> "Media Convergence, Acquisitions and Sales in Canada." cbc.ca. A summary of some of the major Canadian media players, 30 April 2010.

<sup>3</sup> Editorial. *Telegraph-Journal*, 30 October 2009, A8.

<sup>4</sup> The revised deal for the sale of NB Power was announced 20 January 2010.

<sup>5</sup> <<http://roymacmullin.wordpress.com/2010/03/29/telegraph-journal-censors-opinion-piece-...>>

<sup>6</sup> Jack MacDougall, Political panel, CBC <<http://cbc.ca/mrl3/8752/nb/ondemand/video/panel.wmv>> and personal interview, May 2010.

<sup>7</sup> Giles Walker, *I Like to See Wheels Turn* (National Film Board of Canada, 1981).

<sup>8</sup> John Milton, *Areopagetica*. 1644. Intro. Albert C. Baugh and George William McLelland, Ed. *English Literature*. (New York: Appleton-Centure-Crofts Inc., 1954).

<sup>9</sup> Adam Smith, "An Inquiry into the Nature and Causes of the Wealth of Nations." *The*

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<sup>10</sup> John Stuart Mill, *On Liberty*. 1859. ed. Knowlton and Parsons. *Ibid.*, 76.

<sup>11</sup> Robert Martin and G. Stuart Adam, *A Sourcebook of Canadian Media Law*. (Ottawa: Carleton UP: 1994), Chap.1. 1-5.

<sup>12</sup> P.B. Waite, *The Life and Times of Confederation* (Toronto: U Toronto P, 1971), 229-331.

<sup>13</sup> *Ibid.*, 237-239

<sup>14</sup> David McCullough and John Adams, *Biography of the Second President of the United States* (New York: Simon and Schuster, 2002), 81.

<sup>15</sup> Waite, *Ibid.*, 239-248.

<sup>16</sup> Much of the detail and analysis on the next two pages is drawn from Arthur T. Doyle, *Front Benches & Back Rooms* (Toronto: Omega Productions, 1977), 27-70; and Arthur T. Doyle, *The Premiers of New Brunswick* (Fredericton: Brunswick Press, 1983), 14-41.

- <sup>17</sup> David Folster, *The Chocolate Ganongs* (St. Stephen: Transcontinental, 1999), 56, 79.
- <sup>18</sup> The analysis here draws heavily on Ernest R. Forbes, *The Maritime Rights Movement, 1919-1927* (Montreal & Kingston: McGill-Queens University Press, 1979), Chapters 1 & 2.
- <sup>19</sup> *Ibid.*; from 1900 to 1930, 300,000 Maritimers abandoned the region.
- <sup>20</sup> Kent Middleton, et al. *The First Amendment* (New York: The Law of Public Communications, 2003), 22-57.
- <sup>21</sup> *The Charter of Rights and Freedoms* (Department of Justice of Canada, 1982), 1-2.
- <sup>22</sup> Walker, *Ibid.*
- <sup>23</sup> The Irvings merged their Moncton (1983) and Saint John (2005) newspapers in recent years, bringing the number of English language daily newspapers down from five to three.
- <sup>24</sup> J.R.H. Wilbur, *The Rise of French New Brunswick* (Halifax: Formac, 1989), 213.
- <sup>25</sup> Russell Hunt and Robert Campbell *K.C. Irving: The Art of the Industrialist* (Toronto: McClelland & Stewart Ltd., 1973), 168-176.
- <sup>26</sup> Wendell Fulton, Lecture and slides of *Gleaner* cartoons. St. Thomas University, 10 March 2003.
- <sup>27</sup> Fred Drummie, Lecture, St. Thomas University, 24 February 2003.
- <sup>28</sup> Senator Keith Davey, *The Uncertain Mirror: Report of the Special Senate Committee on Mass Media*. 1970: Vol. 1, 70.
- <sup>29</sup> *Ibid.*
- <sup>30</sup> *Ibid.*, 71-75.
- <sup>31</sup> *Ibid.*, 26.
- <sup>32</sup> Dalton Camp, Cited in Mark Tunney, *Cheap Power*. Unpublished MA thesis. University of Western Ontario, 2008. 9.
- <sup>33</sup> Senator Keith Davey, quoted in Russ Patrick, CBC television report on the *Kent Commission Hearings*, 17 April 1981.
- <sup>34</sup> Arthur Irving, quoted in Patrick, *Ibid.*
- <sup>35</sup> Julian H. Walker, Submission to the Royal Commission on Newspapers, 25 February 1981.
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- <sup>37</sup> K.C. Irving testifying before the Davey Committee. *Ibid.*, 163.
- <sup>38</sup> *The Royal Commission on Newspapers* (Canadian Government Publishing Centre, Hull, QC: 1981), 241-242.
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- <sup>40</sup> Report of the Bacon Committee on the Canadian News Media, Standing Committee on Transport and Communications, June 2006. 42.
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- <sup>42</sup> Editorial. *Telegraph-Journal*. 19 March 2005. Cited by Tunney *Ibid.*, 18.
- <sup>43</sup> Gordon Pitts and Jacquie McNish, "Irving Brothers Look to Break Up Empire," *Globe and Mail*, 21 November 2007, B-2.
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- <sup>45</sup> Editorial. *Telegraph-Journal*, 2 August 2007, A4.

- <sup>46</sup> Ibid., 28 June, 4 July 2007.
- <sup>47</sup> Douglas How and Ralph Costello, *K.C.: The Biography of K.C. Irving* (Toronto: Key Porter Books, 1994).
- <sup>48</sup> Tunney, Ibid., 63.
- <sup>49</sup> Elections New Brunswick Results, 12 May 2008.
- <sup>50</sup> John Chilibeck, *Telegraph-Journal*, Cited by Tunney, Ibid., 50.
- <sup>51</sup> <[www.cbc.ca/canada/new-brunswick/story/2009/06/29/nb-court-irving-meeting-611...](http://www.cbc.ca/canada/new-brunswick/story/2009/06/29/nb-court-irving-meeting-611...)>
- <sup>52</sup> Shawna Richer, *Telegraph-Journal*, 30 June 2009, A3.
- <sup>53</sup> Craig Silverman, quoted in the *Columbian Journalism Review*. <[www.cjr.org/regret\\_the\\_error/three\\_strikes\\_and\\_youre\\_fired.php](http://www.cjr.org/regret_the_error/three_strikes_and_youre_fired.php)>, and <<http://www.cbc.ca/arts/media/story/2009/06/05/nb-telegraph-journal-student-fired-unb-62>>.
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- <sup>57</sup> Newspapers in New Brunswick, <<http://www.altstuff.com/newsnb.htm>>.
- <sup>58</sup> <[www.acadiabroadcastinglimited.ca](http://www.acadiabroadcastinglimited.ca)>
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