

## 6. Taking Ethical Stands.

### 6.1. How Collective Agreements Work

Ryerson Polytechnic University journalism Professor John Miller was a reporter and editor at *The Toronto Star* for 20 years, including five as deputy managing editor. He was just beginning his career at the *Star* in 1969 when a group of reporters took the first steps to counter heavy-handed editors. Miller said former *Star* publisher Beland Honderich testified at the Special Senate Committee on Mass Media in the early 1970s that a good newspaper was a reporters' newspaper. But the truth, Miller said, was that the *Star* was an editors' newspaper. The reporters "drew up a manifesto that was one of the first articulations of reporters' rights. One of the things they put in was the ability to withdraw their bylines to deal with the way editors would change things. It had a real effect on the next (union contract) negotiations because it went into the next Southern Ontario Newspaper Guild contract where it had legal status."<sup>i</sup>

Without question, more than 30 years later, the Canadian journalists and union officials interviewed for this research study said the byline clause in collective agreements remains the gold standard in union contracts and is the one used by most newsmen and women in the defence of journalistic ethics.

A union shop steward at *The Vancouver Sun* said reporters there routinely ask their editors not to put their bylines on stories. He said he is in a position to know because, as shop steward, he is often approached by reporters who don't know what their rights are. Frequently, he said, journalists at the *Sun* ask to have their bylines removed because they don't like their story assignment. "It's something they consider silly or trivial or they think it doesn't have significant news value."<sup>ii</sup> He said senior editors at the *Sun* have recently become enamored with stories about celebrities visiting Vancouver that some of its journalists don't think merits them being taken away from more significant stories about their own communities. "It's more common for that than complaints about editing," he said.

The *Sun* shop steward was also adamant that being in a union environment is the one thing that lets journalists disagree with management over ethical issues and survive because there is a grievance procedure. But he admits, on the other hand, having a union does protect some people who are lazy or turned off. "They want the maximum of money with the least effort. But, there are those people in non-union environments, too. Management tolerates them. At any newspaper, there are some people who do lots and people who do less."

Mike Bocking, president of CEP 2000, the Media Union of B.C., believes it is unions which have used their collective power to give individual journalists more power to enhance their own ethical views. "You will not hear the employer comment on that aspect of the union's enhancement of individual liberties. Another aspect, which is maybe not as apparent, is the general sense of job security that a journalist is given when they are a member of a union. It isn't so much that the union actually negotiates the freedom

to dissent so much as the fact that the employer has to have a very good case before they can consider dismissing someone for principled objections to company policy. To run against a journalist on an ethical issue with a union standing behind that individual with funds to fight a case in arbitration, the labor board or the courts, often makes an employer think twice.”<sup>iii</sup>

Paul McKie, president of the media union of Manitoba, is a reporter at the *Winnipeg Free Press*. McKie is adamant that the byline clause in the union’s collective agreement is critical to writers and photographers taking ethical stands at the newspaper, while the editing clause provides an added measure of protection that stories appear correctly. In the case of bylines, he said, they are critical to the newspaper’s appearance. As a result there is not always willingness on the part of editors to allow a byline to be withdrawn. “A lot of the time, people don’t want it. They bully you. It also depends on the member because a lot of the editors are members of the union. If you get a good guy, it’s not a problem.”<sup>iv</sup> As for the editing clause which stipulates an effort will be made to discuss substantive changes to stories, he said: “An editor just called me. The city editor has just rewritten my lead. The assistant city editor called me and it’s a good thing because the rewrite was factually incorrect.”<sup>v</sup>

Other instances of reporters at the *Winnipeg Free Press* pulling their bylines include protesting the nature of their assignments. McKie recalls one instance when the newspaper’s publisher wanted to see a story about a local small business. “They wanted me to write it.” The fact of the matter, he said, is: “From time to time people have to write these pieces.” In those instances, the *Free Press* reporters have the right to ask that their bylines not be used to protest the uncomfortably-cozy relationship between the business operation of the newspaper and the news department. “Lately it hasn’t been bad here. It’s been a long time since I lifted my story byline off something.”<sup>vi</sup>

John Spears is a business reporter at *The Toronto Star* and a union steward in its editorial department. He said the decisions by its reporters to exercise their right to ask that their bylines be pulled to make an ethical point, or to protest an assignment or how editors deal with stories occurs from time to time, but no central records are kept of it. “You deal with an editor to do it and say that is what I want to do. Often that’s the end of it. Sometimes, when they (editors) hear that, they will back off. Once in a while they will give you a hard time because it kills the story. Without a byline on it, it looks bad.”<sup>vii</sup> The key for such clauses to work in collective agreements is to have a way to enforce it. He said: “At the *Star*, we do have a union that actually functions.” But, he also added, it certainly doesn’t hurt to have a sympathetic publisher. “We do have an employer who takes this responsibility seriously. There should be standards and they should be respected.”<sup>viii</sup>

Martin Mittlestaedt is an environmental reporter at *The Globe and Mail* and president of the Southern Ontario Newspaper Guild based in Toronto that represents most of Canada’s major daily newspapers. He said the clause in its union contract that provides for *Globe* reporters to pull their bylines in protest is rarely invoked. “But it happens enough that people throughout the place are aware of that clause. It happens in two

circumstances. If there are protests over contract talks and, occasionally, when reporters don't agree with the assignment or the editing of a story.”<sup>ix</sup>

Although there isn't a clause in the contract providing for reporters to be called in the event of heavy editing of a story, it is the newspaper's practice to call reporters in the event of material changes. “That usually works fairly well, but there have been occasions where people's stories have been cut for space requirements or held for legal reasons, but it works 90 per cent of the time.” Mittlestaedt also said it was rare for reporters to request their bylines be withdrawn because a story has been edited to reflect a particular political slant. “The editing here is less ideological than it would be under Conrad Black or the Aspers (owners of CanWest Global). The *Globe* reporters still have a lot of freedom to call a story the way they see it. The burning issues here are story lengths and the constraints of a smaller news hole than many people would like.” Mittelstaedt also said that he cannot envision a situation at the *Globe and Mail* where a journalist has brought up an ethical issue or one of journalistic integrity where his or her career would be hurt. “When you have a question of integrity, it hurts your career if you don't raise these questions.”<sup>x</sup>

Robert Reid, entertainment reporter at *The Record* in Kitchener, has been unit chair of the CEP union local since the day its newsroom organized in 1989. At the time, the newspaper was changing ownership from being family-owned to being owned by Southam. The newsroom was organized in one weekend and the certification vote was more than 90 per cent. Interestingly enough, Reid says, the working conditions and the wages and benefits were very good.<sup>xi</sup> The three considerations that drove the bid to organize were concerns over chain ownership, long-standing grudges by a number of employees who had been mistreated and ethical questions and journalistic values. “One of the emphases was the collective action a union could make on journalistic ethics.”<sup>xii</sup>

“One of the things happening at the time was that the ad manager was looking at advertorial products, like year-end progress editions, that were very profitable at other newspapers. For the first time, reporters, photographers and editors were looking at advertorial. There was widespread concern about this in the newsroom. Although we had no contractual right, we organized and withdrew our bylines and for some reason, senior management honored that. As a result, the company said they would assign a copy editor to write a report about how other newspapers did it. The company here, with the union's agreement, created an advertorial editing position in advertising.”<sup>xiii</sup>

Reid said the ethical reason the journalists wanted advertorial work out of the newsroom was because they wanted a clear separation between content driven by the profit motive and content that was driven by a news agenda. Withdrawing their bylines in that instance was seen as a powerful tool that was used to protect ethical journalism. But, when the union was negotiating its first collective agreement that would give them the legal right to withdraw their bylines, the company didn't want the language to be included in a clause with the word “ethics” in it. “They didn't want to admit they would do anything unethical or would even contemplate doing anything unethical. Our language is under ‘professional activities.’”<sup>xiv</sup> Columnists were excluded from the clause because

the union agreed with the company that columnists were being paid to lend their names to their opinions and withdrawing their names would negate the very purpose of their work.

Reid said the significance of the byline clause is that the reporter's name associated with it is the flash point for the story for readers within the community. Also, within a newspaper's hierarchy, asking to have a byline withdrawn "really gets under their skin. It's like fighting in a playground."<sup>xv</sup> One reporter no longer at *The Record* withdrew her byline on every story she wrote for more than a year to protest what she felt was the incompetence of her immediate superior who undermined her work. "That reporter would see that as an ethical issue whether you or I would agree or not," Reid said. Reporters and photographers also routinely ask to have their bylines withdrawn when they are asked to rewrite a press release or take a very routine picture that involves no creative thought or activity.

The biggest byline controversies at *The Record* involved disputes over whether reporters collectively withdrawing their bylines in support of journalists at other newspaper constituted an illegal strike, in addition to an incident that involved Reid himself as a reviewer. He had asked that his name be withdrawn from a review of a production at Stratford. At the time, the editors were unsure of whether he could or not and used a review from *The Toronto Star* instead. The company later argued a review was an opinion piece that wasn't covered by the collective agreement. The union argued that a review could not be considered an opinion piece similar to those in the editorial opinion page. The union filed a grievance and the two disputes eventually went to arbitration. The arbitrator ruled against the union on the review issue and the company eventually dropped the collective byline withdrawal issue.<sup>xvi</sup>

Another clause in its collective agreement allows employees to raise ethical issues with senior management and that has been used effectively by copy editors, Reid said. "That has never been frowned upon."<sup>xvii</sup>

In London, Ontario, reporter Joe Matyas was the founding president of the CEP union at the *London Free Press* in 1989, and he said professional integrity was a huge issue for its members during the organization and certification drive. "We had an editor and publisher who were looking for a magic bullet to turn the newspaper around in terms of bucking the North American trend that was causing circulation drops in Canada and the United States. Their solution was a theory supported by consultants from the United States. The theory was that people were too busy to read newspapers. They wanted a newspaper for busy people and non-readers."<sup>xviii</sup>

"They did away with the traditional broadsheet front page and there were days when we had no news stories on the front page. It was like a big index of what was inside the newspaper. The people at the *Calgary Herald* had 'drive-by editing,' we had 'News McNuggets.' It was a huge issue in our organizing drive. When we were bargaining, we put professional integrity on the table. The company hated it. The company wouldn't continue until we took integrity out of the language, so the language we got was 'professional activity' that gives us the right to remove our bylines and be consulted by

editors, those kinds of things. But, over time, other issues became bigger than integrity issues: whether people were placed properly on the grid. That translates in to better pay and benefits.”<sup>xix</sup>

But, those concerns were turned around when the *London Free Press*'s Montreal-based owner Quebecor Inc. appointed a new publisher, Lester Pyette, from the Toronto *Sun* chain of newspapers to London who, from 1999 to 2000, embarked on a strategy of aligning the *Free Press* editorial and news pages with the advertisers and business community leaders.<sup>xx</sup> A senior editor who ran the Saturday opinion section was removed because he wasn't 'conservative' enough, while the editorial department was increasingly compromised. "If someone was rich and powerful, they had easy access to the newspaper by going through him. By doing that, he was going to make extra money for the newspaper." Matyas said he was told by one wealthy businessman and advertiser who he was compelled to interview about his charity golf tournament that he knew the only reason a reporter had been assigned was because he was friends with the publisher. Those friends of the publisher stories became so frequent they were nicknamed "Lester requesters."

"What's wrong with that is mockery of the professional ethics of reporters and writers. All the old rules about separating the content part of the newspaper from the advertising and business side, you're saying we're not going to keep them separate any more. You're saying: 'My staff are whores.'" Matyas said at least the ability to request his byline be taken off the story allowed him to dissociate himself from the consequences.<sup>xxi</sup>

London *Free Press* reporter Hank Daniszewski recalled other ways the news pages were compromised by that publisher. He created a home give-away contest promotion with a local home builder in order to boost circulation. "Even though we have a thing in our contract that we don't have to write advertising, that didn't seem to apply when it was *Free Press* promotional material. There was a front page story every day. We wrote them and withheld our bylines because it wasn't news."<sup>xxii</sup> Daniszewski said things went from bad to worse when other London charities with home-give away contests complained to the publisher about competing with the *Free Press* give-away. "How he handled that was to give them more coverage. The paper was riddled with home lottery stories."<sup>xxiii</sup>

Daniszewski also notes there was a relentless assault on the newspaper's personnel, cutting numbers drastically in a bid to reduce overhead costs and increase profits. When the union formed in 1989, it had 160 members. In early 2002, it had been cut to 70. "We had a 100-heads campaign in 1992. Within a year, they wanted to remove 100 of the staff throughout the building. After 22 years as a journalist – with 13 of them at the *Free Press* – Daniszewski says uncertainty about the newspaper's future has resulted in employee morale being shot. He says he will count himself lucky if he makes it to retirement. "Even with my seniority, I might not make it."

London *Free Press* assistant news editor Mike Smith says that he has seen a gradual and noticeable decline in the newspaper since it was acquired by Quebecor in the late 1990s. In the first instance, he explained, *Sun Media* in Toronto considers the London *Free Press*, about a three-hour drive west of Toronto, their ‘country cousins.’ They expect us to use their copy in editorial, but it’s so badly written we have to modify it considerably, correcting it and adding material. We substantially rewrite their stuff and add Canadian Press stuff, but, if it doesn’t stand up, we don’t use it all. All the Parliamentary copy comes in saying: ‘The Chretien power grab continued yesterday’ with no attribution and editorializing.”<sup>xxiv</sup>

Smith said the saddest aspect for him is the degradation of the *Free Press* editorial product. “A lot more decisions come from Montreal now. It’s not what we must or must not run that’s affecting content, it’s the financial decisions they make that affect the content. The content suffers from a lack of reporters. There were certainly times when we thought a story was news worthy, but we didn’t have the people to cover it. On the desk, with only a small number of people in the room, we (editors) are lucky to get through a story once, where we used to go through it three or four times. Now it’s a lick and a promise.”<sup>xxv</sup>

Smith was struck by the observation that reporters and photographers at the *Free Press* have the ability to withdraw their bylines if they feel their journalistic ethics have been compromised, but there is no remedy for editors. “You’re right, I’m not sure what the answer is. I can’t think of one time at the *Free Press* when I’ve refused to handle something and didn’t get in trouble for it. There were times when we left our standards in the parking lot with our cars.”

There was also a time when the London *Free Press* was considered a stepping stone to the larger metropolitan dailies in Toronto, but those days are over, Smith said. “There’s not a lot of young people beating a path to our door.” And at age 55, he finds himself doing the job that two people used to do, without many career options. “My other option is to sell milk at Beckers, so sometimes you do put your principles in your pocket.” Asked if he thought he was an anomaly in the *Free Press* newsroom, he said: “I think I’m pretty normal at the *Free Press*. There are a lot of people who went into journalism in the late 1960s or 1970s who were a lot more principled than now. When I started in journalism, the managers were rebels. Now they are all suits and slaves to the bottom line.”<sup>xxvi</sup>

London *Free Press* business reporter Norman De Bono concurred, saying quality journalism that reflects a sense of social responsibility has gone out the window at the newspaper under Quebecor Inc. “They’ve shown a complete disregard for the product and the people. It has nothing to do with quality journalism. All they care about is the bottom line.”<sup>xxvii</sup> The journalists at the *Free Press* are doing their best under unfortunate circumstances. “When people leave they are not being replaced. That has resulted in many of its newsroom staff doing two jobs at once and beats going uncovered. We can’t really follow stories because everyone has so many balls in the air all at once. Day side reporters fill in on the desk at night because there is no one there. It’s difficult to do the

every-day job. It's impossible to do anything more than the every-day job. We need more bodies and we could get them because we're one of the most profitable newspapers in Canada, but there is pressure to increase returns."

"I haven't been on the spot where I've seen anything done that was unethical, but the real irony here is that on any given day, the newspaper is pretty good. That's only the result of the pride of the men and women who care. I know people who stay late to do their job with no overtime. They don't want to let the guy beside them down. I'm so proud of them but, in many ways, we're our own worst enemies."<sup>xxviii</sup> At the time of writing this report, it was reported that rumors were abound that publisher Torstar Corp. was about to conclude a \$170 million deal to acquire the London *Free Press* from Montreal's Quebecor Inc.<sup>xxix</sup>

John Deverell was a journalist at *The Toronto Star* for two decades before becoming president of Communications, Energy and Paperworkers Local 87M, the Southern Ontario Newspaper Guild (SONG): he is now the SONG past-president. Deverell said – all things considered and although many did for purposes of this study – it is rare for individual journalists to talk publicly about the ethical dilemmas they find themselves in because that would require them to air their workplace's dirty laundry. "It's not very dignified." As a union official who had been close to many of the disputes journalists have had with their editors, he has a gloomy view of the newsroom as a workplace sometimes. The most idealistic of journalists, he said, like to think of themselves as defenders of the truth and the purveyors of democracy's oxygen, but they are first and foremost employees. "At the end of the day, you're a hired gun."<sup>xxx</sup>

Realistically, the protective elements in the various newspapers' collective agreements can only do so much. "These clauses can be and are helpful in short, quick squabbles in the production process." The reality is that there are two tracks in journalists' careers: the favorites and the also-rans." He said journalists who constantly butt heads with the editors for ethical or other reasons run the risk of jeopardizing their careers in the long run. "Do you want to be in the track of the favorite few who get the glory and the good assignments or do you want a boring job with the same pay? The basic unavoidable truth is that the folks who issue pay cheques decide who is favored, who will be splashed, who will advance, and what are the criteria spoken and unspoken."<sup>xxxi</sup>

## **6.2. Protesting CanWest's National Editorials**

On December 6, 2001, CanWest Global, owned by Winnipeg's Asper family, announced standardized national editorials would appear in 13 Southam newspapers, the largest daily newspapers they owned in Canada, in addition to *The National Post*. Those newspapers are the *Times Colonist* (Victoria), *The Vancouver Sun*, the *Calgary Herald*, the *Edmonton Journal*, the *LeaderPost* (Regina), *The Star Phoenix* (Saskatoon), *The Ottawa Citizen*, *The Standard* (St. Catharines), *The Windsor Star*, *The Gazette* (Montreal), *The Daily News* (Halifax), *The Guardian* (Charlottetown) and *The Telegram* (St. John's). At the time, editor-in-chief of Southam News' Murdoch Davis argued that

“having a viewpoint appear across the country can be of great value to the national discourse.”<sup>xxxii</sup> Initially, there would be one such editorial a week, expanding to three, but since then, the plan to expand to three has been dropped.

It wasn't the first time Southam's owners considered running national editorials. In the early 1900s, Southam family members considered whether or not their three newspapers, *The Hamilton Spectator*, *The Ottawa Citizen* and the *Herald* in Calgary, should agree editorially. In 1920, Wilson and Harry Southam considered a common front at a time when two of the newspapers were taking opposite editorial stands on national politics: the *Citizen* was calling for an early Dominion election while the *Herald* urged neophyte Prime Minister Arthur Meighen to stay the ship and continue with the job at hand.<sup>xxxiii</sup> The brothers knew exactly what kind of political power that would give them: “creating the strength of a giant but not using it as a giant necessarily.”<sup>xxxiv</sup> The idea was abandoned, but was resurrected in the 1940s when Southam directors were considering a concerted stance on Canada's post-war problems. But they decided that their by-then six newspapers would do more for the country if they exercised their own judgments rather than supporting something that “might appeal to their collective minds, but not quite equally touch their hearts.”<sup>xxxv</sup>

That long tradition reflecting the libertarian ethic of diversity of opinion in Southam newspapers was jettisoned by CanWest on December 6. Rank-and-file journalists at one newspaper, *The Gazette* in Montreal revolted, withdrawing their bylines in protest as provided for in a clause in their collective agreement: the byline protest lasted two days. Five days later, a letter that 55 of the *Gazette* journalists signed appeared in *The Globe and Mail* explaining how CanWest was threatening press freedom. It read, in part “journalists have a duty to be faithful to the interests of their readers. Our responsibility is to seek the truth and encourage freewheeling debate on a full range of issues and present stories and ideas in as dynamic a way as possible. Blatant pressures applied to editors by CanWest have damaged this process at major newspapers across Canada. The company is narrowing debate and corrupting both news coverage and commentary to suit corporate interests.”<sup>xxxvi</sup>

The company reacted with outrage to the journalists' letter upholding the libertarian marketplace of ideas and social-responsibility journalist ethic. Company officials issued a memo to staff that they had breached Article 2088 of the Quebec Civil Code that provides confidential information shall not be used against the employer. The language it used harks to the “good employee” ethic. It read, in part: “In the past week, some journalists at *The Gazette* have breached the prohibition against the use of confidential information. They have breached the prohibition against the use of information about persons employed by this company. Statements that have been made to outside media agencies violate the legal requirement for primary fidelity to the employer. Case law supports sanctions, including suspension or termination, against those who persist in disregarding their obligations to the employer after clear warning.”<sup>xxxvii</sup>

The memo recognized that there might be a temptation to regard it as an attempt to muzzle debate or chill dissent, but said it was merely intended to clarify the conditions

in which debate can occur at *The Gazette* by “balancing and respecting the legal rights and obligations of all.” It ended with the reminder that they were employees first and foremost who were expendable. “No one, journalist or otherwise, has the right to work at *The Gazette*. It is a privilege that carries with it the obligations of prudence, diligence, honesty and fidelity to the employer.”<sup>xxxviii</sup> It was signed by editor-in-chief Peter Stockland, who had moved to *The Gazette* after the strike at the *Calgary Herald*, and Raymond Brassard, the managing editor.

Contrary to the argument that the memo was not an attempt to chill debate, that is exactly what happened. Southam journalists in Montreal and Ottawa interviewed on the condition of anonymity said they were all aware of the memo *The Gazette* reporters had received. “Things with the Aspers change from day-to-day,” said one Southam correspondent interviewed about the re-identification of Southam News bylines to *Calgary Herald* bylines. If this is looking to see whether changing the bylines is accurate, it’s not quite accurate for sure, but this chill just makes me cringe.”<sup>xxxix</sup>

Jan Ravensbergen, first vice-president of the Montreal Newspaper Guild which represents journalists at *The Gazette*, said, in an interview in which he specified he was speaking as a union representative, that the memo was insidious because it put no limits on what the employer can interpret as disloyalty. “It’s chilling. If a journalist, a reporter or a copy editor, voices an opinion, are they putting their jobs on the line? Loyalty to readers, getting the whole story out to the readers without fear or favor, that’s what attracts people to journalism in the first place. This is our motivation. This is our integrity at stake here. Many, many people believe that straight up journalism has taken a back seat.”<sup>xl</sup>

Thousands of words were printed about the national editorial policy in newspapers across Canada. Most of the Southam newspapers carried excerpts from a speech by Winnipeg-based CanWest’s David Asper in Oakville, Ontario, defending the national editorials saying a national view independent of purely regional interests was good from time to time. In that way, they would examine what’s best for the nation as a whole rather than local or regional communities. As a hypothetical example of how that would work, Asper identified Winnipeg’s loss of the lucrative CF-18 maintenance contract for the armed forces to Montreal for blatant political reasons. “We would have eagerly published a view in *The Gazette* which questioned the value of on-going centralization of economic opportunity in Quebec and Ontario, versus the idea of building out the nation from coast to coast, giving places like Winnipeg their fair share of the federal pie.”<sup>xli</sup>

But, a Montreal *Gazette* staff member, who asked not to be identified, explained the problem with national editorials was that they shoved opinions from Winnipeg down Montrealers’ throats: “I don’t like the idea of national editorials. I think it’s bad, but I don’t quarrel with their right to do it, but after that 14 newspapers can’t disagree with them. In Montreal, (as a result of the national editorials) we’re in favor of a Triple-E senate. That’s an absurd argument for Montreal to make.”<sup>xlii</sup>

A week later, the Quebec National Assembly waded into the debate by siding with the Montreal *Gazette* employees who pulled their bylines to protest the editorials. In a motion of the legislature, it challenged the directors of Southam News to “publish a statement of principle and of commitment to the quality and diversity of news, this in order to maintain and preserve the original character and autonomy of its Quebec Daily, the *Gazette*.<sup>xliii</sup> Southam editor-in-chief Davis responded to the Quebec legislature saying: “With respect to the parliamentarians of the National Assembly, they might want to go and read the Charter of Rights and Freedoms, which makes it pretty clear that what we do in the newspapers is not to be subject to their legislation. Governments generally are usually quite willing to try to edit the media and it’s generally not helpful.”<sup>xliiv</sup>

In addition to the Quebec Assembly, a groundswell of protest against the national editorials emerged. The Canadian Association of Journalists, representing 1,300 members across Canada, condemned the attack on editorial freedom and independence. “Without diversity of voices and opinions, the marketplace of ideas is threatened, public debate stifled and answers to important public policy questions are hidden,” said CAJ president Robert Cribb.<sup>xlv</sup> The International Association of Journalists representing 500,000 members in 106 countries weighed in with its support of the Montreal journalists. “Journalists in Quebec are rightly angered by the imposition of the corporate voice of Winnipeg almost half a continent distant,” said IFJ president Aidan White.<sup>xlvi</sup>

The flames of the debate were fanned again when Stephen Kimber, a columnist at the CanWest-owned *Daily News* in Halifax, and director of the school of journalism at the University of King’s College, quit *The Daily News*. Kimber resigned the first week of January, 2002 because the editor spiked, or failed to publish, a column he wrote criticizing CanWest’s national editorials. An edited version was subsequently published by *The Globe and Mail*.<sup>xlvii</sup>

Kimber said that as a result of the column that ran in *The Globe and Mail*, he received more than 200 e-mails from readers across Canada expressing concern about the national editorials. “People actually care about the newspapers they read. It’s a journalist’s story, but it’s raised interest in other places.”<sup>xlviii</sup> Kimber, who knows many of *The Daily News* journalists, said since the Aspers took over the newspaper, many of its best reporters and columnists who have left haven’t been replaced. As a result, there is reluctance in the non-union newsroom to speak out too loudly against CanWest’s national editorials. Every journalist at *The Daily News* was aware of the Montreal memo about primary loyalties and there wasn’t much they could do. Realistically, Kimber said the income he received as a columnist was gravy on top of his salary as director of the journalism school and quitting on principle wasn’t an option open to many of *The Daily News* journalists with families to support.<sup>xlix</sup>

One, who spoke on condition of anonymity, said he has never seen the newsroom as discouraged as it is now. The journalist said the plunge in morale began on December 4, 2001, when they learned about the impending national editorials. “I walked into the office and the place was very gloomy. I wondered if somebody died.”<sup>1</sup> So bleak was the result some didn’t go to the company Christmas party. The Kimber resignation was the

last straw, because they were forbidden to write about it. “I’ve got a mortgage to pay and nothing else to do. If they came in and offered severance packages right now, over half the room would apply to get the package. I would definitely take it.”

A senior editor at one Southam newspaper said unhappiness with the CanWest editorials and how the company clamped down on the Montreal journalists isn’t limited to just reporters and copy editors. That editor doesn’t like it either. “I’m still getting a pay cheque from the Aspers, so I’m not in much of a position to throw rocks at them ethically. If I want to criticize them, I should quit. I disagree with (Montreal’s) Stockland on where your fidelity lies as a journalist. It’s not as simple as that. You have a very strong obligation to your reader, as does your publication. Readers believe, they need to believe, that journalists have their interests at heart when they sit down to write. A lot of people, journalists and owners, hold the same principles and understand the same issues.”<sup>li</sup>

Rather than quit, the editor’s preference is to wait and see how the ownership situation in Canada works out over time. The thinking is that Conrad Black ownership of Southam lasted about four years. CanWest acquired some \$3.8 billion in long-term debt when it acquired the Hollinger newspapers for \$3.2 billion and is under pressure to reduce some of that debt. The company has not ruled out a sale of non-strategic assets, which is to say newspapers in markets where it doesn’t own a Global TV station.<sup>lii</sup> “I’m not a crazy optimist, but in the end I think the values you and I support will prevail.”<sup>liii</sup>

CanWest leaders used the *National Post* to advance the argument in an editorial that the right of a proprietor “to promote his viewpoint in the editorial column of his newspaper does not expire if he happens to own more than one.”<sup>liv</sup> They also used their major Southam newspapers to defend the national editorial in an editorial they carried. It said in part: “First, we reject (and trust most thoughtful Canadians will reject) assertions that the proprietor has no right to influence editorials. Some companies simply replace contrary editors, or act behind the scenes. We have chosen a more open approach. Second, we reject that this is a threat to localism. It is an honest recognition that local and national concerns co-exist, in society, and in a newspaper. Local editorial boards determine the positions for most editorials. On some issues, a national editorial board will weigh the views of editors across the country, and we’ll draw on our best writers for a national editorial. Third, we reject that this threatens diversity of opinion. Those who have made this argument indulge in unfair distortion. Our initiative does not constrain access to the newspapers for those who disagree.”<sup>lv</sup> It turned the Libertarian notion that there should be a diverse marketplace of ideas and opinions back on itself saying: “Editorials are judged in the marketplace of ideas. This initiative will succeed there.”<sup>lvi</sup>

In February, 2002, The Newspaper Guild of Canada called on CanWest to commit itself to change its policies that would end its national editorial policy in the name of public trust.<sup>lvii</sup>

Controversy over the national editorials erupted again in Regina in March 2002, when ten reporters at the Regina *LeaderPost* used a clause in their collective agreement

to pull their bylines off stories. That protest was over an editor's rewriting of a news story's first sentence in which the national editorials were criticized by a *Toronto Star* editorialist speaking in Regina, as "censorship." The rewritten lead sentence cast the editorials in a positive light.<sup>lviii</sup> Specifically, the original lead sentence said: "CanWest Global performed 'chilling' acts of censorship when it refused to publish several columns containing viewpoints other than those held by the media empire, a *Toronto Star* columnist said Monday." The lead was changed to: "A *Toronto Star* columnist says it's OK for CanWest Global to publish its owners' views, as long as the company is prepared to give equal play to opposing opinions."<sup>lix</sup> A Regina *LeaderPost* employee, who asked to remain unidentified, confirmed the accuracy of the reported changes.<sup>lx</sup> The censored version of the story ran without the reporter's byline on March 5, 2002, on page B2, but it was identified as having been written by *LeaderPost* staff.<sup>lxi</sup> A CBC Radio reporter spotted the un-bylined story and called reporters in the *LeaderPost* newsroom. The story was then picked up by *The Toronto Star*. The reporters were stunned when six of those who pulled their bylines were issued letters of reprimand. The four who spoke to the news media were suspended without pay for five days. Their union has intervened on their behalf and has filed a grievance. The matter was unresolved at the time of this writing.

On March 8, Southam News president Don Babick and vice-president Murdoch Davis issued a memo to all their publishers and editors defending the harsh treatment of the Regina journalists. They said the impression critics have left that "decisions to publish or not publish certain articles or even copy editing decisions on published copy are made outside local papers" is wrong.<sup>lxii</sup> They said: "A few pieces have been rejected locally because they did not meet the standards of accuracy or fair comment (including that fair comment must be based on facts, not speculation or outright falsehood.) A couple of pieces were declined because they attacked senior management or the proprietors. That, too, is being portrayed as heavy-handedness."<sup>lxiii</sup> They said: "We have said repeatedly, to individual editors, to various national audiences and in public that we are more than open to publishing diverse views, including views that disagree with Southam News (SN) editorials. In fact, either through SN or individual papers, we have commissioned writers to provide contrary or differing views. Commentary writers employed by our papers have written such pieces, too, and we have distributed them through the Southam network to all our papers."<sup>lxiv</sup> The memo included a reminder that the Regina journalists took the newspaper's property, "including unedited drafts of another reporter's work, and shared them with other media. They also made unfounded and inaccurate comments about the company."<sup>lxv</sup> It concluded that disagreements, discussions and debates are welcomed, but "if you have issues with your paper's editing or policies, the proper thing to do is take them up with your editor, not with other media outlets or through byline withdrawal." In other words, the chill CanWest instilled in Montreal was now cooling the newsrooms at all Southam newspapers in Canada.

In April, Peter Murdoch, vice-president Media for the Communications Energy and Paperworkers Union, Canada's largest media union, called on the federal government to legislate media advisory councils. The idea for such councils is a throwback to the 1981 recommendations of the Royal Commission on Newspapers. A newspaper's

advisory council would be comprised of journalists, employer representatives and citizens. It would monitor the behavior of the news organization in terms of the contract, complaints of professional misconduct, access and diversity of opinion. Its findings would be published.<sup>lxvi</sup>

Also in April, the Canadian Journalists for Free Expression called on CanWest Global executives to apologize for their attacks on the critics of national editorials and for the federal government to create an independent inquiry investigating the potential impact of ownership concentration on freedom of expression.<sup>lxvii</sup> Lastly on April 19, 2002, 53 of Canada's most prominent journalists, authors, and literary figures called on the federal government to commission a public inquiry into the effects of concentrated media ownership. They cited CanWest's national editorials saying: "By imposing its views on the newspapers and forbidding them from adopting contrary positions, CanWest, at a stroke, muzzled newspapers from coast to coast."<sup>lxviii</sup> The federal government has shown no inclination, to date, to become involved.

At the end of the day, it was the decision by journalists at *The Gazette* in Montreal and *The LeaderPost* in Regina, who used the byline clauses in their collective agreements in the journalistic ethics of truth and diversity, that has sparked the national debate about censorship. With all due respect to the distinguished writers, authors, politicians, journalists and their associations, supporting them and suggesting courses of action, the debate so far can be characterized as all argument without evidence. The core question is: Are CanWest's Southam newspapers censoring the number of ideas and opinions that reach their readers? New ways of thinking are needed to take this debate to the next level.

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<sup>i</sup> Miller, John. [Interview] Interviewed by Bob Bergen at Ryerson Polytechnic University in Toronto. February 19, 2002.

<sup>ii</sup> [Confidential interview] Interviewed by Bob Bergen at *The Vancouver Sun*. March 21, 2002.

<sup>iii</sup> Bocking, Mike. [Interview] Interviewed by Bob Bergen in the Vancouver offices of CEP Local 2000, the Media Union of B.C. March 21, 2002.

<sup>iv</sup> McKie, Paul. [Telephone interview] Interviewed by Bob Bergen. January 29, 2002.

<sup>v</sup> Ibid.

<sup>vi</sup> Ibid.

<sup>vii</sup> Spears, John. [Interview] Interviewed by Bob Bergen in the Toronto offices of Communications, Energy and Paperworkers Local 87-M, the Southern Ontario Newspaper Guild. February 18, 2002.

<sup>viii</sup> Ibid.

<sup>ix</sup> Mittlestaedt, Martin [Telephone interview] Interviewed by Bob Bergen. March 7, 2002.

<sup>x</sup> Ibid.

<sup>xi</sup> Reid, Robert. [Interview] Interviewed by Bob Bergen at *The Record* in Kitchener. February 13, 2002.

<sup>xii</sup> Ibid.

<sup>xiii</sup> Ibid.

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- xiv Ibid.
- xv Ibid.
- xvi Ibid.
- xvii Ibid.
- xviii Matyas, Joe. [Interview] Interviewed by Bob Bergen in London, Ontario. February 12, 2002.
- xix Ibid.
- xx It is no coincidence that Pyette embarked on the same corporate strategy as his former publisher Ken King who moved on to the *Calgary Herald*.
- xxi Op. Cit. Matyas.
- xxii Daniszewski, Hank. [Interview] Interviewed by Bob Bergen at *The London Free Press*. February 12, 2002.
- xxiii Ibid.
- xxiv Smith, Mike. [Telephone interview] Interviewed by Bob Bergen. February 12, 2002.
- xxv Ibid.
- xxvi Ibid.
- xxvii De Bono, Norman. [Telephone interview] Interviewed by Bob Bergen. February 13, 2002.
- xxviii Ibid.
- xxix Damsel, Keith. "Torstar rumoured close to deal." *The Globe and Mail*. April 4, 2002. p. B6.
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- xxxi Ibid.
- xxxii "Viewpoint initiative goes national." *Calgary Herald*. December 6, 2001.
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- xxxiv Ibid.
- xxxv Ibid. p. 195.
- xxxvi "How CanWest is threatening press freedom." *Globe and Mail*. December 11, 2001.
- xxxvii [www.newsguild.org](http://www.newsguild.org)
- xxxviii Ibid.
- xxxix [Confidential telephone interview] Interviewed by Bob Bergen. February 20, 2002.
- xl Ravensbergen, Jan. [Interview] Interviewed by Bob Bergen in the offices of the Montreal Newspaper Guild. February 26, 2002.
- xli Asper, David. "Who controls freedom of speech?" *Calgary Herald*. December 14, 2001. p. A29.
- xliv [Confidential interview] Interviewed by Bob Bergen in Montreal. February 25, 2002.
- xliv The Canadian Press. December 19, 2001.
- xliv "Pan-Canadian editorials rapped." *Calgary Herald*. December 20, 2001 p. A22.
- xliv News Release. The Canadian Association of Journalists. December 12, 2001.
- xlvi Media Release. International Federation of Journalists. December 20, 2001.
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- <sup>xlviii</sup> Kimber, Stephen. [Interview] Interviewed by Bob Bergen at the University of King's College, Halifax. February 28, 2002.
- <sup>xlix</sup> Ibid.
- <sup>1</sup> [Confidential interview] Interviewed by Bob Bergen in Halifax. February 28, 2002.
- <sup>li</sup> [Confidential interview] Interviewed by Bob Bergen in Halifax. February 28, 2002.
- <sup>lii</sup> Damsell, Keith. "CanWest said eyeing divestiture." *The Globe and Mail*. April 18, 2002.
- <sup>liii</sup> [Confidential telephone interview] Interviewed by Bob Bergen in Halifax. February 28, 2002.
- <sup>liv</sup> "Freedom of speech" *National Post*. January 19, 2002. p. A19.
- <sup>lv</sup> "National Editorials – a tool for the country's discourse." *Calgary Herald*. January 29, 2002. p. A14.
- <sup>lvi</sup> Ibid.
- <sup>lvii</sup> News Release. The Newspaper Guild. February 20, 2002.
- <sup>lviii</sup> Harper, Tim. "Reporter's protest at Asper paper." *The Toronto Star*. March 7, 2002. p. A2.
- <sup>lix</sup> Ibid.
- <sup>lx</sup> [Confidential telephone interview] Interviewed by Bob Bergen. March 11, 2002.
- <sup>lxi</sup> "Columnist takes issue with CanWest Global." *Leader Post*. March 5, 2002. p. B2.
- <sup>lxii</sup> Southam memo. March 8, 2002.
- <sup>lxiii</sup> Ibid.
- <sup>lxiv</sup> Ibid.
- <sup>lxv</sup> Ibid.
- <sup>lxvi</sup> News Release. Communications, Energy and Paperworkers Union. April 10, 2002.
- <sup>lxvii</sup> From the Internet: [www.cjfe.org/specials/canwest/canw4.html](http://www.cjfe.org/specials/canwest/canw4.html)
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