

CanWest Sues B.C. Pranksters

BY MARC EDGE

Often demonized for dominating West Coast news media, CanWest Global Communications is being condemned for using the courts to stifle criticism of apparent bias in its news coverage.

The Winnipeg-based corporation has filed two lawsuits against critics in Vancouver. One lawsuit against an activist for Palestinian rights has been criticized as a groundless SLAPP suit (strategic lawsuit against public participation). That writ was issued against retired college professor Mordecai Briemberg, who admits helping to circulate a parody of CanWest's *Vancouver Sun* but denies being behind its production. CanWest has also sued Rafe Mair for a column he wrote in *The Tyee* that criticized the dropping of political cartoonists at CanWest's Vancouver *Province* newspaper.

The lawsuit against Briemberg has been denounced by the B.C. Civil Liberties Association, the Canadian Library Association, and the Federation of Post-Secondary Educators. "The suit can only be understood as a bullying tactic to try to silence him and to intimidate others," said Anne Roberts, a Langara College journalism instructor. "CanWest already controls 70 per cent of the media in the Vancouver region, but apparently it isn't enough. Now it's turning to the courts to stop people from expressing their own opinions."

Roberts helped form a committee to defend Briemberg that organized a June demonstration outside *Vancouver Sun* offices. The protest prompted the newspaper's publisher to justify the lawsuit over the parody. "This piece was not satirical," wrote Kevin Bent. "It was not a clever spoof. It was a deliberate act to mislead and misinform thousands of people by using the actual *Vancouver Sun* masthead, logo, and layout."

CanWest became Canada's largest news company after buying the Southam newspaper chain from Conrad Black in 2000. CanWest acquired numerous television-newspaper combinations across Canada, but journalists feared that the company also gained control of news content. In Vancouver, CanWest gained a near monopoly on news media. In addition to both daily newspapers, it owns BCTV, which commands a supper-hour news audience of more than 70 per cent, and almost all of the non-daily "community" newspapers in Greater Vancouver. CanWest also publishes the *National Post*, and in Victoria it owns the dominant television station and the only daily newspaper.

The company was founded in 1974 by Izzy Asper, a Winnipeg tax lawyer who turned it into Canada's most profitable broadcaster by cashing in on the "simultaneous substitution" rule. The rule allowed CanWest to insert its own ads in U.S. network programs carried at the same time on Canadian cable systems. For relying heavily on Hollywood reruns, CanWest was dubbed



JEF KEIGHLEY presents the 2008 Golden Gag Award to CanWest

the "Love Boat Network." The profits enabled expansion to New Zealand, Australia, Chile, and the United Kingdom. The Southam purchase gave CanWest a dozen metropolitan dailies and more than 100 other Canadian newspapers. Since Asper's death in 2003, CanWest has been operated by his three children. They have followed their father's example in denouncing the CBC and its Middle East coverage, which they feel is biased against Israel.

CanWest's coverage of the Middle East prompted publication in 2007 of a four-page parody of *The Vancouver Sun* that lampooned its coverage as pro-Israel. Mocking the *Sun*'s slogan "Seriously Westcoast Since 1912," the satire carried the motto "Seriously Zionist Since 2001." About 12,000 copies of the satire were distributed in Vancouver and Victoria. CanWest promptly filed a lawsuit for conspiracy and trademark infringement against Briemberg, numerous John and Jane Does, and printer Horizon Publications.

Early in 2008, two local activists said they were behind the stunt. Calling themselves the Palestine Media Collective, Carel Moiseiwitsch and Gordon Murray noted that CanWest's Middle East coverage bore little resemblance to what they had observed on a 2006 visit to the occupied Palestinian territories. "In CanWest publications, Israelis are almost always portrayed as innocent victims and Palestinians as inhuman terrorists," they wrote in the *Georgia Straight*. CanWest has since added Moiseiwitsch and Murray to the lawsuit as defendants.

The committee formed to defend Briemberg blogs about the dispute at www.seriouslyfreespeech.wordpress.com. [In November 2008, CanWest dropped its lawsuit against Briemberg, but the lawsuit against Moiseiwitsch and Murray continues.—Ed.] ●

Marc Edge is the author of Asper Nation: Canada's Most Dangerous Media Company (Vancouver: New Star Books, 2007).