

# Canada - Farmers' Union: Why we support Idle No More

"The common ground that Idle No More and the NFU share is literal; our common ground is the land."

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Omnibus Bills, Idle No More, and the NFU:

## **OUR COMMON LAND, OUR COMMON GROUND**

With a January 15 media release [[1](#)], we made public our support for the Idle No More movement, saying

*"The NFU is proud to declare its solidarity with Idle No More, which is bringing people together from across Canada to stop the Harper government from riding roughshod over our collective rights. We want a better Canada."*

The common ground that Idle No More and the NFU share is literal; our common ground is the land. It is also our demand that the government uphold its responsibilities to respect the rule of law, and to consult with us on matters that are vital to our survival and wellbeing.

The Idle No More movement began in Saskatoon with a small group of women who saw the danger of Bill C-45 and decided to educate themselves and members of the community about its threats. They started by organizing a teach-in on November 10 at a local community centre. In the following weeks, more teach-ins, rallies, ceremonies and round dances were organized as people learned what was at stake and felt the urgency to share the news and make their opposition to C-45 visible. According to cofounder Sylvia McAdam, under Canadian law silence is considered to be consent and Bill C-45 is an attempt to silence us.

Bill C-45 amends the Indian Act to make it possible for reserve land to be turned over to the federal government to be leased without the consent of the band. In effect, Bill C-45 provides a method of privatizing the use of land that was set apart for "use and benefit in common" by the band when the Treaties were made.

In our statement, the NFU also calls for the federal government to fulfill its Constitutional duty to consult and accommodate Aboriginal and Treaty rights, and urges the Crown to respect and fulfill the obligations of its Treaties with First Nations. A significant body of law has established the duty to consult, what constitutes legitimate consultation, and that such consultation cannot be offloaded onto third parties. It clearly sets out that the federal government does not have the authority to act

unilaterally when it comes to matters that affect traditional territories of First Nations or their social and cultural well-being.

In addition to changing the Indian Act, Bill C- 45 has fundamentally and unilaterally changed the Navigable Waters Protection Act, which used to protect all of Canada's lakes, rivers and streams. The Act is now called the Navigation Protection Act, and it only protects the bodies of water (3 oceans, 97 lakes and 62 rivers) that are on a list that can be changed by a Cabinet order, without debate in Parliament. The protection of even these waters is limited, as the Minister may declare a water body or any part of it, and/or "works" on it to be "minor" and thus exempt from regulation.

Bill C-38, which was passed in June 2012, fundamentally changed the Fisheries Act. It made it the destruction of fish by any means legal in general, unless the fish are part of a commercial or Aboriginal fishery. It eliminated fish habitat protection altogether, and allows the federal government to delegate to third parties (i.e. private interests), the right to apply what little regulatory authority remains.

Other unilateral actions taken by this government affect farmers more specifically. Bill C- 38 changed the Seeds Act so that the Canadian Food Inspection Agency can now delegate to third parties its regulatory power regarding sampling, testing, grading or labelling of seeds for quality control or assurance of seeds or seed crops. Private seed companies given this power will be able to use it to discipline their customers and suppliers.

Bill C-18 destroyed the Canadian Wheat Board's single desk in defiance of the then-existing law's requirement that a farmer vote be held before significant changes were introduced. In addition to ending the single desk, Bill C-18 declared every flour mill, feed mill, feed warehouse and seed cleaning mill to be "works in the general interest of Canada", thus placing them under federal regulatory jurisdiction. This power-grab is no doubt related to the government's plan to adopt the UPOV '91 Plant Breeders' Rights regime which will increase corporate control over seeds.

Bill C-45 has also eliminated Canadian Grain Commission's inward inspection requirement, making it possible for grain companies to cheat farmers by manipulating grades and measures between the purchase point at the country elevator and the destination at port.

The common threads that tie these pieces of legislation together are that they privatize power and control over our commons – whether it is:

- leasing without members' consent the land held in common by First Nations bands in the form of reserves;
- environmental protection of crown land and waters held in common by Canada, which the Federal Government has abandoned, thereby allowing oil and gas and mining corporations to use them at will;
- the CWB, the marketing agency built by and for farmers for their common benefit, stripped of its legislated authority and made ready to sell to the private grain trade; or
- the commonwealth of seed, created and stewarded by countless generations of farmers that is being handed over to the multinational agri-business corporations.

The Idle No More vision is about working together as allies in grassroots movements to pursue sovereignty, environmental protection and to ensure that the Treaties between Canada and First Nations are respected. The first Idle No More teach-in sparked a movement that is inspiring the world and bringing together people from all parts of Canada — rural, urban, First Nations,

immigrants and the descendants of immigrants — in common cause to reclaim our country and rebuild it according to a vision of justice, dignity and inclusion.

**National Farmers' Union**

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**P.S.**

\* <http://climateandcapitalism.com/2013/04/03/farmers-union-idle-no-more/>

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## **Footnotes**

[1] Available on ESSF (article 28329), [Canada: National Farmers Union in Solidarity with Idle No More](#).