

Friends of the Canadian Wheat Board

--a coalition of farmers and other Canadians in support of democracy and a farmer-controlled
CWB

Friends of CWB say Justice Russell's ruling on Voters' list case a Major Set-back for Farmer Democracy

Swift Current, Feb. 1, 2010— "I would characterize this ruling as a major set-back for basic farmer democracy," said Stewart Wells, spokesperson for *Friends of the Canadian Wheat Board (FCWB)*, "and we are currently discussing the possibility of an appeal." Wells, a CWB permit holder and organic farmer from Swift Current, SK., was commenting on the federal court ruling by Justice Hon. James Russell in *FCWB v the federal government*.

"Everyone who has witnessed the four years of attacks by the Harper government against farmers and the CWB understands that the stripping away of the automatic voting rights of thousands of farmers, without their knowledge, was a dirty trick. And dirty tricks come in two types—legal and illegal. By taking this issue to the federal court, the *FCWB* attempted to prove that this dirty trick was also an **illegal** dirty trick," continued Wells.

"Although he acknowledged that he might be overturned on appeal on this point, Justice Russell agreed with the federal government that we farmers do not have the right (standing) to challenge Harper's manipulation of the voters' list in court. Clearly, we disagree with the judge on this point. As farmers who hold permit books and sell grain through the CWB, and whose livelihoods, in large measure, depend on the outcome of these elections, we feel that we do have the right to challenge Harper's manipulation of the voter's in his ongoing attempt to influence the outcome of the director elections. Adding insult to injury, all CWB permit holders--even those removed from the voters' list--pay the full cost of running these director elections held every second year.

"Taken to its logical conclusion, Justice Russell's ruling means that a Cabinet Minister could, with impunity, override the voting regulations with a simple letter to the CWB directing them to remove "all farmers whose last name begins with W" from the initial voters' list. All fair minded Canadians would agree that such power should not be granted to any individual Minister of the Crown or elected official."

"The issue for us is simple: "Who decides voter eligibility for Canadian elections—the Parliament of Canada, or the Conservative Party whose avowed agenda is to dismantle the Wheat Board?" continued Wells. "In their heavy-handed approach, the Harper government has interfered with the farmer-election process in a number of ways by:

1. manipulating of the voters' list by Ministerial letters of instruction—the cause of this legal case
2. failing to directly notify farmers that their voting privileges were stripped in the 2008 director elections

3. allowing Conservative MPs to use taxpayers' money to campaign on behalf of anti-CWB candidates in the 2008 director elections (“campaign” is the term used by the RCMP)
4. failing to force MPs to report their campaign spending to the independent Election Coordinator
5. imposing a "gag order" on the Canadian Wheat Board thereby preventing it from explaining its mandate and operations to farmers

“Until we have a responsible government in Ottawa, farmers have no alternative but to use the courts to stand up for our rights and voting privileges,” concluded Wells. “It is a sad commentary on democracy when ordinary citizens have to take their own federal government to court to force it to obey the law of the land. In 2007, the *FCWB* took then minister Chuck Strahl to court when he tried to remove the marketing of barley from the CWB’s mandate through an Order-in-Council—a federal cabinet decision taken behind closed doors. The *Friends* won this court challenge, and the *FCWB* won again on appeal a few months later.”

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