

# POWER TILTS NORTH TO THE CANADIAN BORDER

Stephen J. Farnsworth



With the Democratic victories in both the US House and Senate, power in the form of committee chairs is tilting north towards the Canadian border, writes Stephen Farnsworth, a Fulbright Scholar at McGill. Where only 5 of 20 House chairs had previously come from northern border states, 9 will be northerners in the new House. Similarly in the Senate, "fully half the incoming committee chairs come from either states with US/Canada land crossings or from New England, a part of the US with particularly strong links to its northern neighbour." As a result, writes Farnsworth: "Expect the new Democratic committee chairs to concentrate on bilateral tourism and trade, which benefit their own northern states, as well as Canada."

Avec la double victoire des démocrates américains au Sénat et à la Chambre des représentants, le pouvoir incarné par les présidents de comité s'est rapproché de la frontière canadienne, observe Stephen Farnsworth. Sur les 20 présidents de comité de la Chambre, neuf au lieu de cinq sont maintenant issus des États du Nord. Il en va de même au Sénat, dont la moitié des nouveaux présidents de comité proviennent d'États frontaliers ou de la Nouvelle-Angleterre, région qui entretient des liens particulièrement forts avec son voisin du Nord. Résultat : « les présidents de comité démocrates devraient privilégier le tourisme et le commerce bilatéraux, qui profitent à leurs propres états tout autant qu'au Canada. »

The recent victories by Democrats in the House of Representatives and the Senate mark a major power shift northward within the United States that will increase the attention paid in that country to issues that concern Canadians.

Seven of the 20 Democrats in line to be House committee chairs represent districts in states with land border crossings into Canada, including several of the most powerful committees and those most relevant to bilateral matters. An eighth new Democratic chairman comes from Wisconsin, across Lake Superior from Canada, and a ninth comes from Massachusetts, a New England state with close economic and cultural ties to Canada.

In contrast, 5 of the 20 outgoing Republican House chairs came from states along Canada's southern border, and only one of them ran a committee that had much to do with bilateral issues.

Power in the Senate also shifts north within the US with the Democratic majority in the upper chamber. Fully half of the incoming 16 committee chairs come from either states with US/Canada land crossings or from New England, a part of the US with particularly strong links to its northern neighbour. In the old Senate, 5 of the 16 Republican chairs

were from states on the Canada/US border or from the nearby states of New England.

In America's decentralized legislative system, committee chairs wield immense power to set the political agenda, by focusing attention on their personal priorities as well as by burying legislation they do not like. These electoral victories will not turn Washington into some form of Ottawa on the Potomac. But the northward shift in legislative power in the US means that as newly empowered Democrats look out for the interests of their own states, they will focus on many issues that matter on both sides of the border.

Expect the new Democratic committee chairs to concentrate on bilateral tourism and trade, which benefit their own northern states as well as Canada. They will also investigate the Iraq War and US rendition policies (including the case of Maher Arar, a Canadian tortured by Syria after he was sent there by the US government).

With their majority status, Democrats will command a majority of seats on committees. Because the party wins relatively few seats in southern states, the new legislative majorities also come largely from northern states and will

be far more sympathetic than the old Republican majorities to the concerns of citizens and state governments in the northern half of the US. Before the 2006 mid-terms, the Republican majorities focused on taking care of

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the South, which explains that party's pre-election focus on plans to erect an additional 700 miles of fencing along the US-Mexico border and its aggressive intervention in the Terri Schiavo "right to die" case, a rallying issue for Christian conservatives, who are particularly influential in southern states dominated by the Republicans.

Regardless of which party prevailed in the November 2006 elections, the current crisis in Iraq was going to be the primary focus on lawmakers in Washington during 2007. While George W. Bush was not on the ballot this fall, his Iraq policies were, and his selection of Robert Gates as defence secretary responds to the anger of US voters, two-thirds of whom now believe that the invasion of Iraq was a mistake. (Two-thirds had supported the war when the US-led coalition invaded Iraq more than three years ago.) Bush's own problems with public opinion — fewer than four out of ten Americans now approve of the job he is doing — also encouraged the president to shake up his Pentagon team in the wake of Republican midterm losses.

For those Canadians who have criticized Americans for not paying enough attention to its allies before acting in the Middle East, President Bush's nomination of Gates to replace

Donald Rumsfeld should be seen as good news. Gates, a career national security analyst who has long been close to the first President Bush, is far more modest in his vision of US power than the more ideologically charged

and controversial Rumsfeld. Gates was a key player in the consensus-driven, ally-focused multinational approach used by the previous President Bush during the first Gulf War in the early 1990s. Until now, the current President Bush dismissed the warnings offered by Gates and other GOP moderates from past Republican administrations, in favour of the more aggressive (but now discredited) foreign and military advice of Rumsfeld and Vice-President Dick Cheney.

A new secretary of defence will be able to offer a different perspective on Iraq and Afghanistan. A new Pentagon chief, particularly one who comes from outside the current Bush team, will not be as tied to old strategies. Gates does not have to defend the past, and all indications are that he will not do so.

In addition to paying close attention to the concerns of allies, the first President Bush and his team also consulted far more extensively with Democrats when making foreign and military policy. Even had the Democrats not won the midterm elections, Gates likely would have solicited far more Democratic Party involvement in dealing with military matters than Rumsfeld did. Gates, the Central Intelligence Agency chief under the first President Bush, is a Republican

moderate with whom Democrats can do business.

Gates' selection also means that the Democratic-led legislative hearings on Iraq in 2007 will focus more on what to do next rather than what happened in the past. Replacing Rumsfeld with a moderate Republican could save both the Democrats and the Republicans from their own worst instincts on Iraq, the tendency on both sides to argue about the war as if it were still 2004 or even 2002.

Exactly where US policy in the region will go from here is uncertain, but future steps seem less likely to irritate critical allies than previous steps did. Former secretary of state James Baker, another confidant of the first President Bush, is heading a bipartisan panel crafting a new approach to the Iraq occupation. The panel was to offer its recommendations to the White House in December, and the selection of Gates — a member of the Baker panel — clears the way for the Pentagon to adopt a very different strategy in the coming months. Although their deliberations have been secret, the Baker group is expected to urge concentrating US forces in Baghdad to try to reverse the escalating violence in the Iraqi capital and to help secure the new Iraqi government. The panel is also expected to urge a more multinational approach, perhaps even engaging with Syria, to defuse the Iraq crisis.

In fact, the White House recently has been in retreat from the aggressive US foreign and military posture adopted before the Iraq War, an approach that had not been well received in many foreign capitals. In the past two years, Secretary of State Condoleezza Rice has overseen a revised foreign policy approach that collaborates closely with the world's other leading powers — including countries Rumsfeld dismissed as "old Europe" — in dealing with the emerging nuclear weapons crises of North Korea and Iran. Russia,



Canadian Embassy, Washington

The US Capitol, viewed from the sixth floor balcony of the Canadian Embassy in Washington. The next Democratic Congress will be very different from the last Republican one. Stephen Farnsworth writes that power in both Houses, in the person of the committee chairs, is shifting north, with many more chairs from states and regions bordering Canada, such as New England.

China, Germany, France and Canada (none of those countries were part of the US-led “coalition of the willing” in Iraq), along with constant ally Britain, are working with the US to defuse troubles with two of the three nations Bush once dubbed “the axis of evil.”

Some Democrats, including incoming Senate Foreign Relations Committee Chair Joe Biden of Delaware, have proposed that the US move toward giving more power to the Kurdish, Shiite and Sunni areas of Iraq, and reducing the reach of the central government in Baghdad.

Of more direct concern to Canadians, of course, is Afghanistan, where more than 2,000 Canadian troops are facing a restive al-Qaeda presence in the Kandahar region.

Biden and other Democrats have urged the Bush administration to pay more attention to the “other war” in Afghanistan, where the pro-Western government remains weak and vulnerable to the al-Qaeda warlords who still control much of the country. If the US government focuses more attention on Afghanistan, as many Democrats wish, that could relieve some of the pressure on Canadian troops and other NATO forces stationed there.

**B**ut Iraq and Afghanistan will not be the only issues on the agenda of the next Congress, which takes office on January 3. Away from the Middle East, these incoming Democratic committee chairs in the House and the Senate are going to be

looking out for the interests of New York, Minnesota, Michigan and Vermont, rather than Texas, Florida and Virginia, states where Republican power has been concentrated in recent years. The partisan and geographical shift means more attention to tourism and trade involving the US and Canada and less concern for the proposed 700 miles of additional barriers along the US-Mexico border.

The next chairman of the House Ways and Means Committee should be Charles Rangel of New York, who replaces Bill Thomas of California. Rangel wants to put pressure on pharmaceutical companies to bring prices down for government-run health care programs for retirees and poor Americans. Democrats on the commit-

tee are also interested in making it easier for US citizens to buy their medications in Canada, a move that would benefit Canadian drug retailers and the tourism industry. Republicans have tightened the border in recent years, making it harder for US citizens to purchase pharmaceuticals in Canada and bring them into the US.

Over at the House Agriculture Committee, Democrat Collin Peterson of Minnesota will take over from Republican Bob Goodlatte of Virginia. Peterson wants to expand the use of biofuels and ethanol, which would be a boon to hard-pressed prairie farmers on both sides of the border. An expanded market for grain crops would reduce the need for governmental farm subsidies, sometimes a source of bi-lateral tension in rural North America.

Canadians will find a Democrat-controlled House Judiciary Committee more responsive to concerns over the US handling of the Arar case, a particular sore point between the two countries. Rep. John Conyers of Michigan and other Democrats on the committee have chafed at the expansion of presidential power during the past several years, particularly with regard to prisoner rendition to nations that torture those detainees. The Abu Ghraib and Guantanamo prisoner abuse scandals will also receive more extensive scrutiny under Democratic legislative leadership. The outgoing Republican Judiciary Committee chair took the lead in pushing for tougher immigration policies, saying Bush wasn't being tough enough on Mexicans.

The Senate Judiciary Committee, which will be headed by Democratic Sen. Patrick Leahy of Vermont, has condemned the Bush administration's surveillance of US citizens and the treatment of detainees during Republican one-party rule. Expect a number of Senate hearings as well on these matters, which have triggered

objections in Ottawa and elsewhere in recent years. How far the Democratic House and Senate can go in this regard depends on how chastened the Bush administration is by the midterm results and by the information that will be made public in the Democratic-led investigations that will come with the next Congress.

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**T**he new passport rules for land crossings into the US are scheduled to take effect on January 1, 2008, though implementation can be delayed until June 2009 if US border officials are not ready for the change by the earlier date. Leahy's support of easier transit stems from the fact that more than 300,000 trucks and more

than 2.2 million individuals use the Quebec/Vermont crossings each year. Leahy's new-found influence means that Democrats can draw attention to what many of them want: less restrictive passport-control legislation on the US-Canadian border.

While Leahy's plans to reverse the passport requirement will likely receive friendly treatment from the new Democratic majorities, President Bush may be unwilling to compromise on that law, passed when Republicans controlled the House and Senate. US Ambassador to Canada David Wilkins, a close political ally of President Bush, has said repeatedly both before and after the midterm elections that the White House is not going to agree to scrap the passport requirement for US points of entry along the Canadian border.

Leahy also rejects the Republican plan, passed shortly before the midterm elections, to study the need for fortified fencing along the Canada-US border. "Some people don't understand that there are big differences between the northern border and the southern border," Leahy said in mid-November, days after Democrats had won majority control of the US Senate. Canadians "aren't people who are trying to escape to a different life. We ought to be celebrating the fact that we have a country that loves us and that we can deal with."

Trade is another key issue that will draw considerable attention from Democratic committee chairs in the new Congress. Many influential Democrats bemoan US jobs lost as a result of international trade deals. But Canada is unlikely to suffer much in this area, as most lost jobs in the US go to countries where workers are paid far less than in Canada. In addition, the partisan change may be less significant for trade policies than some expect. Republicans who support the theory of fair trade sometimes chafe at their application, particularly if it angers

segments of the US electorate, as was the case with recent controversies over steel and lumber imports.

David Obey of Wisconsin, the next Democratic chairman of the House Appropriations Committee, wants to expand US efforts to force higher labour standards for workers and safer conditions for child labourers around the world. Workers on both sides of the US-Canadian border will gain — or at least lose less — if wages and benefits outside North America approach the region's standards.

China, a nation with which the US has a deep bilateral trade deficit, is likely to be a particular target of the more protectionist Democratic legislative majorities. Although some elements of the Republican Party — namely Christian conservatives — wanted the Bush administration to take a harder line on China because of human rights abuses, the pro-business elements of the party won the argument. A Democratic Party more beholden to workers than business will take a much tougher line on China. Other lower-wage countries will also likely face pressure from the Democrats, given the party's close ties to organized labour.

Not all Democratic border state lawmakers focus on job loss to lower-wage countries like China. Senator Hillary Clinton of New York has been highly critical of what she calls Canadian trade barriers on agricultural products, including fruits, vegetables, wine and dairy products, produced in New York State. Clinton complained this fall that New York ships more than twice as many apples to the United Kingdom as to Canada, despite sharing a border with the latter. But Clinton, though frequently mentioned as a possible Democratic nominee for president in 2008, is not a highly influential senator, and is not expected to lead a single Senate committee. In addition, Clinton is not even a member of the Senate committee with jurisdiction over international trade matters.

In the same way that Republicans have been conflicted over China, Democrats are divided over global warming. Some Democrats are very strong environmentalists, while others represent manufacturing regions where “green” politics are viewed negatively, or at least warily. The Senate Environment and Public

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Works Committee will be led by Barbara Boxer, a California Democrat who is strongly pro-environment. On the other hand, the House Energy and Commerce Committee, which has jurisdiction over many environmental matters, will be headed by John Dingell, a Michigan Democrat who is very close to the auto industry and less enthusiastic than many Democrats about stricter environmental standards.

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Of course, changing the political agenda, which the House or Senate can do on its own, is not the same as changing policies. Even if both

chambers agree, President Bush can still veto legislation. Republican senators, though a minority, can still use procedural mechanisms to block legislation they oppose, thereby stopping Democratic initiatives before they even get to the president. What remains to be seen is the extent to which the changes in political discussions in the US will lead to policy changes.

Divided government in the US is a lot like minority government in Canada — it entails a lot of disagreement, and even more posturing and planning for the next election. But at a minimum Canadians can expect matters of particular concern north of the border to be more significant in the next session of the US Congress than in the last one.

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