

# DC Statehood: Its Time Has Come

by Joel H. Samuels

**O**N DECEMBER 16, 1773, A PARTY OF MEN BOARDED British ships, threw dozens of crates into the water and chanted, "No taxation without representation!" Those Boston Tea Party-goers have been transformed into icons of the Revolutionary War: irate citizens pouring tea into the Boston River to express their opposition to extortionate tax laws passed down from England. If we are to be taxed, they said, then we must have some say in the process of governance.

Perhaps no idea is more fundamental to the establishment of the United States. But more than 200 years after the gathering at Boston Harbor, the 600,000 residents of the District of Columbia embody precisely the wrongs Americans fought the Revolutionary War to eradicate.

For three years, Norton has served as a delegate to the House of Representatives for the District of Columbia. As delegate she has the same powers as any other Representative to Congress to serve on and chair Committees, introduce legislation, and participate in floor debates. Unlike full Representatives; however, she is denied the right to vote on final passage and some floor amendments. Even this restricted representation is denied DC's shadow Senators in the Senate.

While on Capitol Hill, Congresswoman Norton has dedicated herself to what a fellow democrat called "an uphill battle through molasses in a blizzard." Norton wants to add one more star to the American flag—a 51st for the District of Columbia. And in a historic vote last November, Rep. Norton was able to muster 153 votes for statehood, not enough to pass the resolution, but far more than even her most ardent supporters had expected. The final tally on H.R. 51, the statehood resolution, was 277 nays, 153 ayes. But for Rep. Norton, success came two days earlier when the bill finally reached the floor of the House of Representatives. Norton is glad that "the debate gave the first sustained national exposure for DC Statehood...."

**C**ONGRESSIONAL MEDDLING. But Eleanor Holmes Norton is not so happy about the overall success of the statehood movement. What infuriates her above all else is what she sees as the blatant injustice of the current status of the District of Columbia. Since 1900, the residents of Washington, DC have been the only tax-paying US citizens denied formal representation in Congress.

Moreover, Congress controls all decisions and appropriations for the District. Washingtonians not only enjoy fewer rights than their counterparts in the 50 states, but also fewer rights than those in the territories of Guam, Puerto Rico, the

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Virgin Islands, and American Samoa, which at least have local self-governance, but do not pay federal taxes.

The colonial character of the current arrangement was underscored two months ago when some representatives tried to deny the citizens of DC the right to spend their own money as they see fit. Following a tense debate, the District budget narrowly passed the House, with amendments to meet the demands of representatives from as far away as Montana.

The District's budget for the coming year totals \$3.7 billion. A full \$3 billion came from District taxes, which are among the highest in the nation. The Federal Government pays the remaining sum to account, in part, for occupying 41 percent of the district's land, on which it pays no taxes. In all, conservative estimates point to more than \$2 billion in lost tax revenues on that land for the District. In addition, Congress has forbidden a commuter tax on the hundreds of thousands of federal employees who work in Washington but live in Maryland and Virginia. Many other cities, including New York, levy such a tax. With a population of 640,000, the District has more residents than Wyoming, Alaska, Delaware or Vermont. Nonetheless, its Mayor and City Council have only marginal control over the city's affairs. The city cannot even reschedule garbage collection times without Congressional approval.

If District residents seem stoic in the face of these inconsistencies, it is because they are accustomed to the status of second-class citizenry. Residents of the District were not allowed to vote in Presidential elections until the 23rd Amendment to the Constitution was approved in 1964. And it was not until the Home Rule Act of 1973 that they could elect a mayor and city council; until then, both had been appointed by the Congressional committee which oversees District affairs. The Home Rule Act was primarily a token symbol of sympathy. Congress still retains the authority to overturn any law the City Council passes.

On paper, the issue of statehood seems clear. The District meets three traditional tests for statehood: the support of the people, an agreement to adhere to a representative form of government, and sufficient resources to ensure the economic viability of the District of Columbia. But in practice, the debate over statehood is complex and prone to heated confrontations. Opponents claim that the District can only become a state through a constitutional amendment. This path, however, has already proven unsuccessful. In 1978, Congress proposed an amendment to give DC full voting representation in the Senate and the House of Representatives, but only 16 out of the necessary 38 states had approved the proposal before the ratification period ran out ten years later.

**O**RIGINAL INTENT. Debate over the constitutional amendment has been bogged down in rancorous partisan disagreement over the original intent of creating the District of Columbia. Statehood opponents argue that the Framers of the Constitution did not foresee the creation of a federal city with inhabitants other than the President and members of Congress. Thus, they argue, when the Constitution provided for a federal district, it assigned full legislative control to Congress. But, according to counter-arguments, that decision was taken before the capital became a major city with a population exceeding that of several other states in the Union.

If one unravels the arguments against statehood for DC, more basic issues appear. The real issue at stake is the formation of a 51st state which will be overwhelmingly

Democratic. Republican legislators recognize that statehood will mean two additional Democratic faces in the Senate and oppose DC statehood for partisan grounds.

When the seat of the federal government first moved to the District in 1800, the largest city in the United States was

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New York with 60,000 inhabitants. For those who wonder what the Framers would have thought of the current debate, another historical question might be raised. What would Madison have said if he knew that 600,000 citizens were being denied the right to vote? While the intent of the framers is always subject to debate, the American Revolutionaries were explicit in 1776 in their demands for the sovereignty of a colonist population only four times larger than today's Washington, DC. They wanted to exercise the right of self-governance and made these principles the guiding light for a new nation.

Following November's vote in the House, Rep. Norton indicated that she might temporarily abandon the all-out statehood push temporarily in order to use the momentum

"to pursue gains that are achievable in the shorter term. Those gains include budget autonomy for the District, revenues and the elimination of congressional review of Council legislation. But these measures still ignore the blatant injustice in the District: 600,000 American citizens pay federal taxes do not have a voting voice to participate in government.

At a town meeting last spring, President Clinton pointed out, "The District of Columbia now has more people than four other states, pays more taxes than ten other states and sent more soldiers to fight in the Persian Gulf War than twenty other states. And yet, every time they turn around, Congress can overturn anything they do through their elected officials."

The time has come for Congress to set aside partisan differences and resolve the statehood issue. In their efforts to

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fully include the District's residents in the democratic processes which began 220 years ago, political representatives should remember that "no taxation without representation" is a concept for the Twentieth Century as well as the Eighteenth. ■

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