D.C. the Last Colony

Michael Tucker

Soc 315

Dr. Barbara Salice

05/10/08
Thesis

“We the people of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence (sic), promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.” The first paragraph of the Constitution spells out what being an American citizen should be all about. We want to live free and we want to be safe in our homes and we have no problem assisting the government to keep it that way whether it is through taxes or actual fighting. Sounds good, however, approximately 600,000 American citizens (US Census Bureau) who live in the Capitol of the United States, Washington D.C., are not afforded these basic rights. They are not represented in congress. They have neither a Senator nor any Representative. How can it be a “more perfect union”, if all are not represented?

The Constitution

The Constitutional Convention was held in Philadelphia in 1787, and that was where the United States Constitution was finalized in writing after a series of compromises. The Constitution was then sent to the State Legislatures to be ratified. Article I; Section II states, “The House of Representatives shall be composed of members chosen every second Year by the People of the several States, and the Electors in each State have the Qualifications requisite for Electors of the most numerous Branch of State Legislature”. This is the same system as currently occurs. The section goes on to further state,”Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers...” This means that each state will not receive the same amount of Representatives, but the amount from each state will be determined by the population of each state. Section III states, “The Senate of the United States shall be composed of two
Senators from each State chosen by the Legislature thereof, for six years; and each Senator shall have one vote. This gives each state and every citizen equal representation in then Senate, unlike the House of Representatives, which has unequal representation, but still includes all states to have members. On the whole this is a reasonable system that seemingly addresses the needs of every single American citizen. It doesn’t though. According to the U.S. Census Bureau, in 2007, there were 588,592 citizens of the District of Columbia (Census Bureau), American citizens, living in the Capitol of the country, who are not represented in Congress.

Formation

The Residence Act of 1790 officially titled: An Act for Establishing the Temporary and Permanent Seat of Government of the United States (U.S. Senate), established the District of Columbia as the seat of the Federal Government. The act determined the Nations Capitol would be on the banks of the Potomac River, with both Virginia and Maryland ceding portions of land. Eventually Virginia took their portion back and today, the District of Columbia is 69 square miles and sits entirely on the Maryland side of the river (U.S. Senate). At no point in the entire bill does it mention whether or not the Citizens of The District of Columbia should or should not get representation in Congress. What is certain is the fact that Washingtonians have never been represented in Congress.

Argument

Between 1787 and 1788 The Federalist Papers were written and Published in several New York newspapers in an attempt to persuade New York voters to ratify the Constitution. All of the papers were signed “Publius” but the actual authors are generally accepted as Alexander Hamilton, James Madison and John Jay, the first Secretary of the Treasury, the Fourth President and the President of the
First Continental Congress and First Chief Justice of the Supreme Court. In Federalist Paper Number Forty-One, Madison argues on the “General view of the powers conferred by the constitution”. Madison then states that there are six absolute powers conferred on the Federal Government,” Security against foreign danger; Regulation of intercourse with foreign nations; Maintenance of harmony and proper intercourse among the states; Certain miscellaneous objects of general utility; Restraint of the states from certain injurious acts; and provisions for giving due efficacy to all these powers” (Madison, J. Federalist Paper #41). In laymen’s terms he is suggesting that the Federal Government should form and be in control of the military, form and be in charge of Ambassadors to foreign nations, be the arbiter for disputed between the states and to make sure all citizens, regardless of state affiliation are treated equally. At the time of this writing, Washington City in the Federal District of Columbia had not been founded, but the argument has the same meaning, the Federal Government is impelled to protect all of the citizens of the United States no matter where they reside including but not restricted to forming a military, consisting of American citizens to fight on their behalf. In paragraph 15 Madison passionately argues, “The Representatives of the United States, elected FREELY (sic) by the WHOLE BODY (sic) of the people, every SECOND YEAR (sic)” (Madison. J. Federalist Paper #41). The whole body, means every United States citizen, not everyone except the 600,000 people in Washington D.C., but everyone.

Madison, known as the Father of the Constitution, was the third President to reside in the White House, you think that after he argued so long for the Constitutional rights of all Americans, he would have looked out the window of the White House and seen American’s who were not represented in Congress and done something about it.

Modern Representative Democracy

Focusing on the two issues germane to the fact that the residents of the District of Columbia are not represented in Congress, Free and frequent elections. Dahl states, “Elected officials are chosen in frequent and fairly conducted elections in which coercion is comparatively uncommon” (Soe. C. (25) pg.90). The citizens of the District of Columbia get to vote in municipal Elections and also for the President of the United States but obviously not for congress. Inclusive citizenship. Dahl states, “No adult permanently residing in the country and subject to it’s laws can be denied the rights that are available to others and are necessary to the five political institutions just listed” (Soe. C.(25). Pg. 91). This is Dahl’s definition of a democratic society. The United States is seemingly a democratic state, but, 600,000 of its citizens are not represented in the Legislative body of the Government, not in the Senate, not in the House of Representatives, their rights are denied but those same rights are available to the rest of the country. Dahl argues it is important to have these institutions for voting equality, control of the agenda and full inclusion. Now just imagine, you wake up on a weekday morning, get in your vehicle or take public transportation to go to your place of employment, and on the way you pass by the United States Capitol building, you see the gleaming Capitol Dome, you know important issues are being debated in there and voted upon and you know that you are not represented in there but someone from California, over 3000 miles away, someone who has never set eyes on the Capitol Dome, is. Is this representative democracy?

What Democracy Is
In the article, “What Democracy Is... and Is Not“, (Soe.C. (25) pp. 96-102), Philippe C. Schmitter and Terry Lynn Karl argue, “Modern political democracy is a system of governance in which rulers are held accountable for their actions in the public realm by citizens, acting indirectly through the competition and cooperation of their elected representatives” (pg.96). This is true except of course for the residents of the District of Columbia. Schmitter and Karl argue, “Representatives-whether directly or indirectly elected-do most of the real work in modern democracies” (Soe.(25). Pg.98). This is most likely true, but, the elected officials like to become reelected officials, and to that extent they try to do what is right for their constituents in their home states or districts. Who does the real work for the citizens of the District of Columbia? Is what’s good for a citizen of the mostly rural state of Idaho also what is good for a citizen of the completely urban District of Columbia? Maybe, maybe not.

HR 1905

HR 1905, The District of Columbia Voting Rights Act of 2007 was introduced by Republican Representative from the state of Virginia Tom Davis and District of Columbia Democrat Delegate Eleanor Holmes Norton (The House of Representatives). Mrs. Norton represents the District of Columbia in the House of Representatives, but she has no vote, she is more of a glorified lobbyist on the behalf of the citizens of the District of Columbia. HR 1905 would permanently expand the number of members of the House of Representatives from 435 to 437 seats with Washington D.C. getting one voting member and Utah increasing by one their voting members. The bill passed through the House of Representatives by a margin of 241-177(U.S House of Representatives), a landslide. On May 1, 2007 Senators Joe Lieberman, Democrat Connecticut, Orrin Hatch, Republican Utah and Bob Bennett, Republican Utah, introduced The D.C. Voting Rights Act of 2007 S. 1257(U.S Senate). The act passed in the Senate Committee for Homeland Security and Government Affairs 9-1(U.S Senate), showing broad bi-partisan support. On
September 18, 2007, 227 years after the District of Columbia came into being, a majority of the Senate voted to move the bill to a final vote, 57-42 (US Senate), but a minority of Senators led by Minority Leader Mitch McConnell, Republican from Kentucky, were able to maintain a filibuster and the vote was tabled (US Senate).

**What Are the Reasons Against?**

“Voting-rights advocates argue that there is no constitutional barrier to representation, while opponents insist the Framers clearly intended not to give the District a vote in Congress” (Soloway. C. *Should D.C. Have A Vote In Congress?* Congressional Quarterly. April 11, 2008. Pg. 1). These are the main arguments for and against the District of Columbia getting a congressional vote. Now, obviously, since the Constitution was written in 1787 and the District of Columbia wasn’t made a Federal District until the Senate passed the Residence Act of 1790, it is really a spurious argument to assume the framers meant to exclude the District of Columbia when it wasn’t even a place yet! The main reasons the the District of Columbia does not yet have a congressional vote is purely political in nature.

Historically the District of Columbia votes Democrat. Since the residents of the District of Columbia were first allowed to vote in a Presidential election, 1964, the District of Columbia has *always* voted Democrat, with over 80% of the votes going to the Democratic Candidate except for 1970 when it was “only” 70% (US Election Atlas). These facts are the main reason that the vote has not been given. Even with HR 1905 giving Utah an extra seat, (Utah has voted Republican for President in every election over the same time frame excluding 1964), (US Election Atlas), the filibuster that prevented passage in the Senate was lead by Republicans, although some Republicans did vote for the bill. In all fairness, it must also be pointed out that the demographics of the District of Columbia are thus, as of the 2006 U.S. Census, 581,530 people lived in the District of Columbia, 330,322 of the residents are African-American
(US Census Bureau). Does this also play a part in keeping D.C. from having a vote in Congress? It is not known, it is hard to fathom it being true, but the question must be asked. The Framers certainly did not mean for African-Americans to have the vote, so....?

**Conclusion**

The vehicle license plates for the District of Columbia have the slogan “Taxation Without Representation” on them for the entire world to see. This was the battle cry of the Sons of Liberty, led by Samuel Adams and his cousin John, the second President of the United States and signer of the Declaration of Independence. Yet, the Federal Government does not believe that to be so. In February 2008, the District of Columbia, after years of appeals, finally were allowed to have a quarter representing Washington D.C minted, just like the other 50 states, however, the design submitted by the District of Columbia was “Taxation Without Representation”, which the U.S. Mint rejected because “it wouldn’t be appropriate” (The Washington Post May 3, 2008). It is the only time that a quarter design has been rejected by the U.S. Mint. This seems to be a subtle sublimation of the District of Columbia’s freedom of Speech and also of protest. It appears that the Federal Government would like to keep the rest of the country ignorant to the fact that the District of Columbia is still a colony. The Flag for the District of Columbia is White with three red stars across the top and two red stripes along the bottom. The flag is taken from the family coat of arms of George Washington, the first President of the United States, the man who as General of the Continental army fought for the independence of an entire continent, who as a young man once threw a silver dollar across the Potomac River from the Virginia side to the other. The other side of the river is Washington D.C., which, by the way, is named after George Washington. It seems only fitting that the city named after him, should have all of the rights that he fought for. The District of Columbia Government and its representatives have vowed to continue the
fight to get the equal rights for their city and it’s nearly 600,000 residents that the rest of the country enjoys. “No taxation without representation!”
References


7. The United States Census Bureau. www.census.gov

