

Case for D.C. Statehood

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Abstract

The debate surrounding Washington, D.C.'s statehood is a crucial issue rooted in democratic principles and historical context. D.C. residents, despite contributing significantly to the U.S. economy, lack full representation in Congress, with no voting rights in the Senate and only a non-voting delegate in the House. This absence of democratic rights contradicts the foundational ideals of the United States. The city's unique status as the nation's capital, originally intended to be neutral and free from state influence, has led to its current disenfranchisement. The article explores the historical roots of D.C.'s non-statehood, highlighting the Residence Act of 1790 and the Organic Act of 1801, and discusses the ongoing debates surrounding power abuses and conflicts of interest. It also addresses the impact of racial demographics on the political discourse and the complexity of governance under the Home Rule Act of 1973. The constitutional paradox created by the lack of direct congressional representation, alongside local self-governance, is critically examined. The article concludes by advocating for D.C. statehood, emphasizing the need for equal representation and democratic integrity, and argues that this pursuit is essential for aligning U.S. governance with the core principles of democracy.

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1. Introduction: The Case for Washington, D.C. Statehood

The debate over Washington, D.C.'s statehood revolves around democratic principles and fair representation, urging a closer look at its historical context and the disenfranchisement of its residents. In the evolving landscape of governance, the exclusion of D.C. residents from full representation in Congress is a stark anomaly—lacking voting rights in the Senate and having only a non-voting delegate in the House. This contradicts the democratic ideals foundational to the United States. Rooted in D.C.'s historical legacy as the nation's capital, separate to avoid undue state influence, this disenfranchisement has become a growing concern as the city develops its unique identity. Despite making up 0.6% of the US economy alone, D.C. residents are denied the democratic right to vote for full legislative representation.

2. Historical Context and the Founding Principles

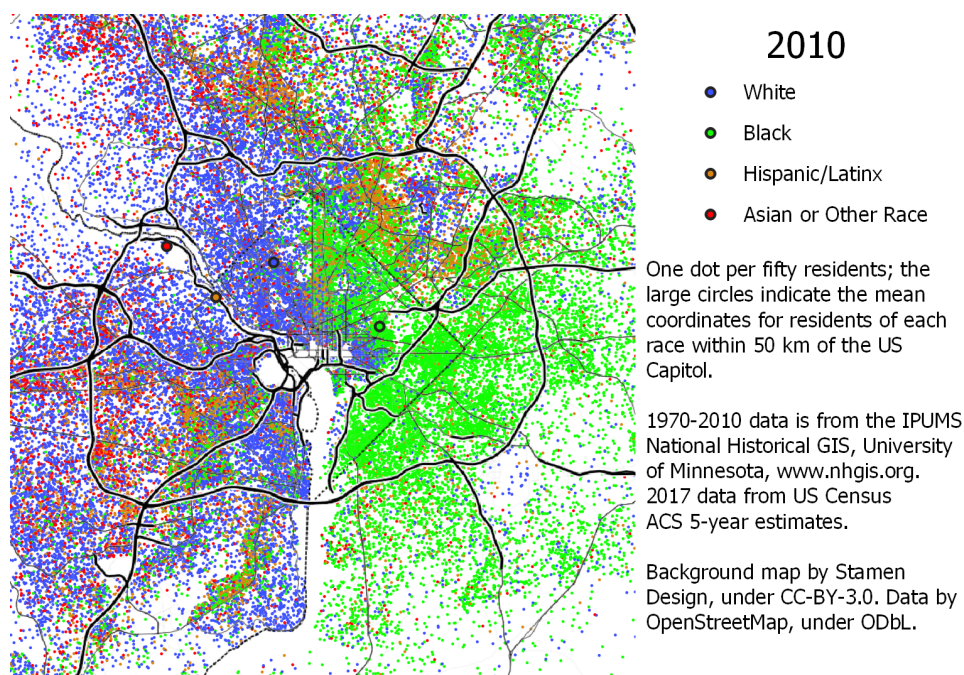
The historical context of Washington, D.C.'s non-statehood is intricately linked to its original purpose as the designated seat of the United States government. Established through the Residence Act of 1790, the District of Columbia (D.C.) was envisioned as a neutral ground where representatives from different states could convene without being unduly influenced by the interests of a particular state. This unique status was codified by the Organic Act of 1801, defining the district's boundaries within 10 miles square, as stipulated by Article I, Section 8 of the Constitution.

One of the primary reasons for D.C.'s non-statehood is the concern over potential abuses of power and conflicts of interest. Founding Father James Madison articulated these concerns in Federalist No. 43, highlighting the potential for representatives in D.C. to prioritize local interests over national considerations if granted statehood.¹

Racial demographics have also played a role in shaping the historical trajectory of D.C.'s statehood status. While the city has been a majority-minority district since the 1960 Census, with diverse racial demographics, racial attitudes have influenced political discourse. In 1972, Representative John Rarick expressed racially charged concerns over self-governing power in

¹ Anna Christensen: *District of Columbia v. Heller*, 2007.

D.C., reflecting broader racial anxieties of the time.



Despite not attaining statehood, Washington, D.C. has gained certain voting rights over time. The 23rd Amendment in 1961 granted residents the right to vote for the President and Vice President, and the district currently has three electoral votes in the Electoral College. Efforts toward achieving statehood have been ongoing, exemplified by the House of Representatives passing the Washington, D.C. Admission Act in 2021. This legislative measure, if approved by the Senate and the President, would grant D.C. statehood, naming it "Washington, Douglass Commonwealth." The objective of these efforts is to address historical concerns, providing D.C. residents with full Congressional representation and greater autonomy in governance.²

3. The Constitutional Paradox of Home Rule

Examining the legal system in Washington, D.C. reveals a complicated interaction between federal authority and local government. This complexity is not just a matter of procedural details; it represents a constitutional paradox. The main problem lies in the tension between the district's unique status of quasi-self-governance, as established by the Home Rule Act of 1973, and the inherent constitutional limitations that still exist.

²District of Columbia Law.

The lack of statehood and a dedicated constitution for D.C. is a significant concern from a constitutional perspective. D.C. residents are in a peculiar position where federal laws, including the U.S. Constitution, are enforced alongside locally passed statutes. This double application emphasizes a constitutional anomaly that challenges the principles of representation and democratic governance.

While the Home Rule Act seems to empower local governance, it introduces a constitutional paradox. The act grants D.C. residents a semblance of autonomy through an elected council and mayor, but this autonomy is limited by the overarching authority of Congress, which must approve all legislation passed by the Council. This constitutional oversight raises questions about the democratic deficit faced by D.C. residents.

The lack of voting representation in Congress for D.C. residents is a glaring constitutional concern. Despite its best efforts to strike a balance, the Home Rule Act leaves the district in a state of political limbo, where ultimate authority rests with a body in which D.C. lacks direct representation. This constitutional imbalance challenges the foundational democratic principles upon which the United States is built, thus making it unconstitutional.³

4. Political Dimensions of Statehood Debate

Washington, D.C.'s legal narrative is not merely a matter of legal intricacies; it is fundamentally rooted in a constitutional paradox. The absence of statehood and direct congressional representation creates a constitutional imbalance that challenges the principles of democracy and representation. The Home Rule Act, while attempting to empower local governance, introduces a constitutional conundrum by subjecting the district to congressional oversight, undermining the very essence of self-governance.

Many Republicans in the Senate oppose this idea, however, due to the residents' strong democratic leanings. There have been modest differences in 1992, in which 24% of Democrats and 16% of Republicans voted in favor of making Washington D.C the 51st State.⁴

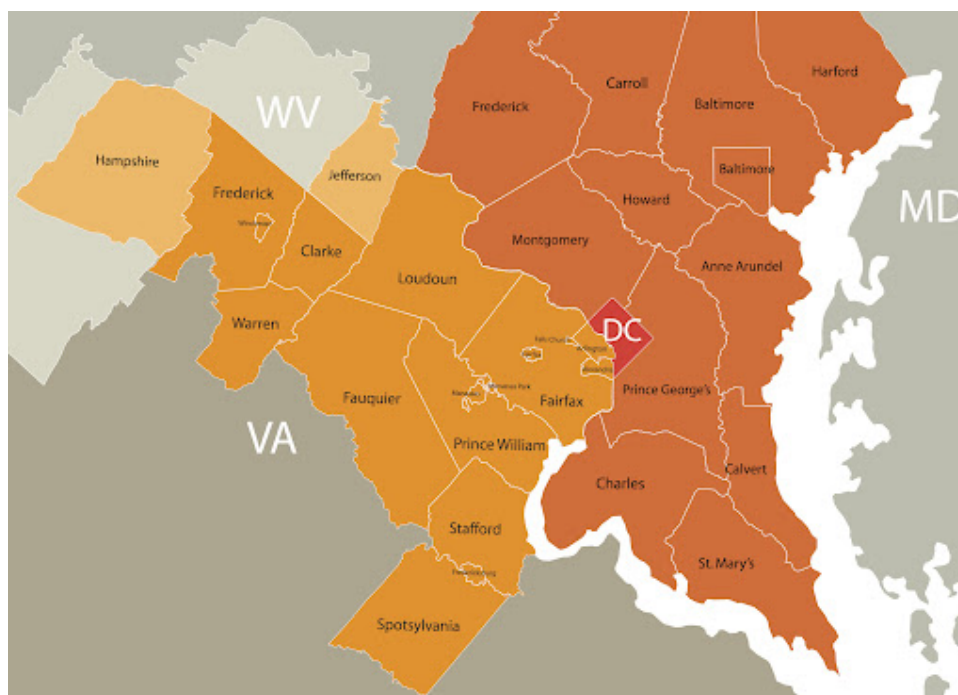
Advocating for Washington, D.C.'s statehood is not merely a political agenda but a pursuit

³Alicia Reynolds: Why isn't DC a State?, June 2022.

⁴Erwin Chemerinsky: D.C. statehood is constitutional. There are no good legal arguments against it. June 2021.

grounded in constitutional principles and the core tenets of democracy. The current status quo, marked by the lack of statehood and direct congressional representation, constitutes a constitutional paradox that demands rectification. D.C. residents find themselves in a peculiar position, subject to federal laws alongside locally passed statutes, a scenario that challenges the foundational democratic ideals of equal representation.

The Home Rule Act, while a step towards local empowerment, incorrectly perpetuates a constitutional riddle. The act grants a tiny amount of autonomy, yet the overarching authority of Congress, coupled with the absence of voting representation, creates a democratic failure. This situation is fundamentally unconstitutional, as it undermines the essence of democratic governance by subjecting the district to congressional oversight without proportional representation.



Advocating for Washington, D.C.'s statehood is not merely a political agenda but a pursuit grounded in constitutional principles and the core tenets of democracy. The current status quo, marked by the lack of statehood and direct congressional representation, constitutes a constitutional paradox that demands rectification. D.C. residents find themselves in a peculiar position, subject to federal laws alongside locally passed statutes, a scenario that challenges the foundational democratic ideals of equal representation. The Home Rule Act, while a step towards local empowerment, incorrectly perpetuates a constitutional riddle. The act grants a

semblance of autonomy, yet the overarching authority of Congress, coupled with the absence of voting representation, creates a democratic deficit; thus, Washington D.C. should be a state.⁵

5. Conclusion: D.C. Statehood as a Democratic Imperative

In conclusion, the debate surrounding Washington, D.C.'s statehood is deeply rooted in democratic principles and historical complexities. The city's anomalous lack of full representation in Congress, with no voting rights in the Senate and only a non-voting delegate in the House, challenges the foundational ideals of democracy upon which the United States was built. Despite its pivotal role as the nation's capital, D.C.'s residents, constituting a significant portion of the U.S. economy, are denied the fundamental right to vote for comprehensive legislative representation.

The historical context, shaped by the Residence Act of 1790 and the Organic Act of 1801, emphasizes D.C.'s intended role as a neutral ground for federal governance. Concerns over potential abuses of power and conflicts of interest, as articulated by Founding Father James Madison, further contribute to the city's non-statehood status. Racial demographics and political discourse have also played a role, reflecting broader societal attitudes.

Examining the legal system reveals a constitutional paradox, where quasi-self-governance under the Home Rule Act clashes with constitutional limitations. The lack of statehood and direct congressional representation raises constitutional concerns, as federal laws coexist with locally passed statutes. Advocating for D.C.'s statehood emerges not as a mere political agenda but as a pursuit grounded in constitutional adjustment, addressing a democratic deficit created by the Home Rule Act's constitutional riddle. Therefore, Washington, D.C. should be granted statehood to align with democratic principles and provide equal representation to its residents.

⁵Jeffrey M. Jones: Americans Reject D.C. Statehood, July 2019.

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