



The Arguments For And Against D.C. Statehood Presented To The Senate

A Senate committee held a [hearing](#) Monday on a bill that would grant statehood to the District of Columbia. Or perhaps it's better to say a single Senator held a hearing on the bill, since only Sen. Thomas Carper (D-Del.), who chairs the committee and introduced the legislation, stayed for the entire duration.

The majority of the witnesses, including D.C. officials, a prominent economist and legal scholars, made arguments in favor of statehood, while just one witness was against it. Below are the arguments for — and against — statehood presented to the Senate Homeland Security and Governmental Affairs committee.

The Moral Argument

Carper kicked off the hearing with an opening statement invoking the Golden Rule as a reason his colleagues should take a look at the issue: “Yet when it comes to having a voice in Congress, these men and women do not count. In truth, they never have. While they bear the full responsibilities of funding the federal government and dealing with the consequences of the laws it enacts, they do not enjoy the benefits and protection of having voting representation in our Congress. In my view, this situation is simply not fair. Neither is it consistent with our values as a country. Perhaps most importantly, though, it’s not consistent with the Golden Rule: treat other people the way we want to be treated.”

While the Delaware Senator is in favor of statehood, he did not guarantee that the bill would move out of committee. Rather, he said the hearing was a way to restart an old conversation.

As president of the Leadership Conference on Civil and Human Rights, Wade Henderson took a social and racial justice approach to the issue.

"From a broader civil and human rights perspective, the continued disenfranchisement of D.C. residents before Congress continues to stand out as the most blatant violation of the most important civil right that Americans have: the right to vote," he said. "Without it, without the ability to hold our leaders accountable, all of our other rights are illusory."

When I was born in the old Freedman's Hospital, on Howard University's campus, the city's hospitals were segregated along racial lines by law. That is no longer the case. Ledroit Park, where I grew up and where I now own a home, was once an all-black neighborhood by law and by custom. Today, however, people of all races and from all around the world live in the area as my neighbors and friends. Gone, too, are the remnants of the system of de jure separate schooling that sent me to an all-black elementary school, despite the fact that I started grade school after the landmark ruling in *Brown v. Board of Education* had officially outlawed racial segregation.

Yet one thing still has yet to change for me as a lifelong resident of Washington: in spite of all of the progress we have seen, and in spite of all of my efforts to speak out on Capitol Hill on behalf of other Americans, I have never had anyone represent me on Capitol Hill with a meaningful ability to speak out on my own behalf. For over 200 years, my hundreds of thousands of neighbors in this city and I have been mere spectators to our democracy. Even though we pay federal taxes, fight courageously in wars, and fulfill all of the other obligations of citizenship, we still have no voice when Congress makes decisions for the entire nation on matters as important as war and peace, taxes and spending, health care, education, immigration policy, or the environment.

The Wonky Argument

D.C. Mayor Vincent Gray and Council Chair Phil Mendelson both went wonky, explaining how federal oversight of the District makes it difficult to run the city.

"Though Congress has, since the 1973 Home Rule Act, provided for partial home rule by the District, the District has for the last forty years been forced to function with a political structure that cannot determine a local budget without affirmative congressional approval," Gray said. "We must also constantly be wary of a Congress that could at any time over turn any local enact law. These barriers to full autonomy present numerous practical problems for the District's elected leadership, government workers and residents."

Mendelson made a similar argument: "Instead, as you know, we cannot spend without congressional appropriation, and we cannot enact local laws without congressional review. We cannot fix inequities in criminal sentencing without the approval of the United States Attorney General, and we cannot update the limits on small claims or strengthen our Anti-SLAPP law because we cannot legislate judicial process."

The Emotional Argument

D.C. Del. Eleanor Holmes Norton has publicly made the case for statehood perhaps more times than any other witness Monday, but she was still able to make a deeply emotional argument in favor of the creation of New Columbia.

"Ever since the creation of the capital, the District of Columbia has been an outlier, integral to the nation yet needlessly divorced from its core democratic principles," she said. "Enormous

change has come to the nation and to the District over the 224 years since the city became the official capital and hometown to its first residents. My own family has lived through more than 150 years of these changes, ever since my great-grandfather, Richard Holmes, as a slave, walked away from a plantation in Virginia and made his way to the District. This city has been transformed from a sleepy Southern city, where three generations of the Holmes family went to segregated schools, as required by the Congress of the United States, to one of the nation's most cosmopolitan and vibrant places to live. Today's District of Columbia is no less than the equal of the states."

The Common Sense Argument

The testimony from Paul Strauss, one of the two "shadow" Senators representing D.C., was perhaps the most quotable, with several concise, common statements in favor of statehood.

"I am suspicious of those who claim to support equality for the District, but oppose this bill as a remedy, because of the argument that the District shouldn't be a state because historically, it was only meant to be the seat of the federal government," he said. "Among the historical aspects of our Constitution were enshrined the institution of slavery, lack of rights for women, and a host of other injustices, now corrected by Constitutional amendments, and more commonly appropriate interpretation by independent judicial review."

He also pointed out that, as D.C.'s population continues to increase, the "presence of the federal government in Washington continues to decrease."

If Congressional control is so important to the federal government's ability to protect its interest, why do so many of our sensitive institutions exist comfortably and without interference in so many fully sovereign states? Whatever issues we may have with the functioning of the Pentagon, CIA, NSA, no one seems to suggest that their placement in the Commonwealth of Virginia adversely impacts the important federal functions that they serve.

Strauss also pointed out the flaw with the "If you don't like it, move" argument against D.C. statehood.

"It is inappropriate to tell an American citizen that if you want rights, you have to move, especially when you live in the United States of America," he said.

The Constitutional Argument

Viet D. Dinh, a professor of law at Georgetown University and chief architect of the Patriot Act, said he was not there to make the argument for or against statehood. Rather, he spoke only to the constitutionality of the bill, saying it would most likely be helped up by the courts.

The Argument Against

Sen. Tom Coburn (R-Ok.), a member of the committee, gave an opening statement against statehood, citing a last debate over the issue in 1993, but left before the panelists spoke. "Here we are again debating this issue even though it has no chance of success in this chamber and is dead on arrival in the House," he said before leaving.

Roger Pilon of the Cato Institute was left to make the argument against statehood, calling the bill "unconstitutional and unwise." He argued that Congress does not have the authority to grant statehood to D.C. Pilon disagreed with Dinh, saying that the 23rd amendment, which gave D.C. three electoral votes, would have to be repealed before statehood was granted.

"Washington is a wholly urban, one-industry town dependent on the federal government far in excess of any other state," he said. "Moreover, with Congress no longer having authority over New Columbia but dependent on it, New Columbia could exert influence on the federal government far in excess of any other state."

While most of the panelists argued that statehood is the only way to grant equality to D.C., Pilon offered another solution: Exempt residents from federal taxes.