The Changing Face of DC Governance Over Time

Washington, DC was founded on July 16, 1790 after President George Washington chose it to be the new capital of the new United States of America. The states of Maryland and Virginia each ceded land to create a 100-square mile federal city that was to be distinct and different from the states. Washington chose Pierre L’Enfant to design the federal city with the Capitol to be the center of a grid. For the next 10 years, residents of Washington voted in either the Maryland or Virginia elections depending on the location of their residence.

Loss of Franchise
In 1801 Washington was officially declared the capital of the United States, and citizens living in the District were no longer allowed to vote for Congressional representatives by order of the Organic Act of 1801. Three commissioners appointed by the President governed the residents of the federal district.

The First Steps
In 1801 the federal district comprised five units: Washington City, Georgetown, Washington County in Maryland, and Alexandria and the County of Alexandria in Virginia. Congress passed emergency legislation that divided the District into Washington County where Maryland laws would apply and Alexandria County where Virginia laws would apply.

Citizens in Washington City who favored self-government organized protests and meetings, and in 1802, petitioned Congress for a municipal charter. The Charter granted by Congress made Washington an incorporated city and gave voters the right to elect a six-member local legislature, (then called a Council) that could pass laws and levy a tax on real estate to pay for city services. The President appointed the mayor. In 1812, a new law gave the Council the power to elect the mayor from the Council, which then comprised 12 elected members and a group of aldermen.

Policy makers realized early that there was an inherent inequity in the treatment of Washington residents. Veterans of the War for Independence who had fought for democracy and against “taxation without representation” now were taxed but had no representation because they lived in the District. In 1803 a bill to retrocede parts of the District not being used by the federal government to Maryland and Virginia came before Congress, but did not pass. Only about 3,000 people lived in Washington, far fewer than the 50,000 required to become a state at that time.

Expanded Franchise
The local governments of Alexandria and Georgetown had originally been left intact. A new charter from Congress in 1820 allowed the residents of Washington City to elect their own mayor. The charter also extended the franchise to all white males who paid at least $.50 in taxes. In addition, it stipulated that the federal government would participate in funding much-needed improvements in the infrastructure of the city. However, that funding never materialized.

Another Step Toward Democracy
During the Civil War, the population in the federal district increased substantially, and the infrastructure issues were intensified. The Organic Act of 1871 reorganized the five units by combining Washington City, Georgetown, and the unincorporated Washington County in Maryland into the District of Columbia. (Alexandria City and the County of Alexandria had been retroceded to Virginia in 1846).
The Act also established a new government. Organized like a territorial government, the District had a governor and a bicameral legislature with an appointed 11-member upper house and an elected 22-member lower house. The District was allotted one non-voting representative to Congress. In addition, an appointed Board of Public Works was charged with modernizing the District. In 1873, President Ulysses S. Grant appointed the board's most influential member, Alexander Robey Shepherd, to the new post of governor. Shepherd authorized large-scale projects to modernize Washington. Unfortunately, he overspent his approved budget by three times and bankrupted the District.

Then 100 Years of Appointed Governance
In 1874 Congress abolished the legislature and office of Delegate to Congress; instead they provided a board of three commissioners appointed by the President. The Organic Act of 1878 made the Board permanent with two civilians and one army officer detailed from the Corps of Engineers. Congress served as the city council and legislature. This structure was to last nearly 100 years, during which District residents had no say in their governance.

In 1967, President Lyndon Johnson presented a new governance plan to Congress. A nine-member city council, a single mayor-commissioner, and an assistant to the mayor-commissioner would all be appointed by the President. While the Council was officially nonpartisan, no more than six Council members could be of the same political party.

District Residents Vote for President for the First Time
In 1959 Congress began considering legislation that would eventually become the 23rd Amendment. The next year the House Judiciary Committee proposed a resolution solely devoted to the District’s rights in presidential elections, which passed the House on June 14, 1960 and the Senate two days later. All candidates in the 1960 presidential election endorsed the amendment, and New Hampshire became the 39th state to ratify the amendment on March 30, 1961. District residents voted in a presidential election for the first time in 1964.

Another Step with Home Rule Efforts
Between 1948 and 1966 the Senate passed some form of a Home Rule act six different times. None ever passed the House of Representatives. In 1968, the District was allowed to vote for an elected school board. Finally, in 1973, Congress passed the Home Rule Bill, and voters approved it in a referendum in 1974. Citizens elected the Mayor and Council in 1974. Voters also approved the election of Advisory Neighborhood Commissioners, each to represent every 2,000 residents, to advise the Council on neighborhood concerns.

The powers and duties of the Council are comparable to those held by state, county, and city legislatures, including the authority to adopt laws and to approve the District's annual budget submitted by the Mayor. The Council is a co-equal branch of government, part of a system of checks and balances similar to any other state government. Under the Home Rule government, however, Congress reviews all legislation passed by the Council before it can become law and retains authority over the District's budget. Congress has the power to disband the District government at any point. Also, the President appoints the District's judges, and the District still has no voting representation in Congress.

In 2016, the Mayor of the District of Columbia launched a new effort to apply for statehood. The New Columbia Statehood Commission was given the task of developing the elements of a “Tennessee Plan”
(so called because Tennessee successfully used this plan when applying for statehood) for the District. The Commission developed a draft constitution, established proposed boundaries, and wrote a referendum to appear on the November, 2016 ballot. When the DC Council reviewed the work of the Commission in preparation for their final vote authorizing the constitution and proposed boundaries they concluded their report with the following paragraph:

“Statehood is the only practical way that District citizens can participate in a fully democratic government as part of the United States. It is the only way to ensure that our local government will never be subject to a shutdown because of Congress’ quibbling over purely federal matters. It is the only way to give District residents locally elected representatives to enact purely local laws that will not be subject to national debates over divisive social issues. It is the only way to create a justice system that is representative of, and sensitive to, our community values. Statehood is the only way to give residents a full, guaranteed, and irrevocable voice in the Congress of the United States – the same voice enjoyed by all other citizens across the country. Statehood is the most practical solution to right the historical wrong of denying voting rights to citizens of the District and to guarantee the right to local self-governance.”