

Alienable After All?

When Peter Stuyvesant, governor of New Amsterdam, refused to surrender to the threatening British fleet in September of 1664 he did what any general would do and called upon the citizenry to help defend the city. He crumpled up the ultimatum, stamped out of his office, and addressed the assembled people of the town. He urged them to take up arms and position themselves along the walled perimeter to fend off the enemy. The crowd mumbled and shuffled their feet but didn't move. The air was filled with apathy. The foreign subjects that inhabited the colony were beyond care. Among them were English Quakers, Scottish Presbyterians, French Huguenots and Jews who had found religious freedom and security in the Dutch Republic and its North American province. But the Dutch settlers, too, were unmotivated. Why would they not defend their precious rights in the Dutch Republic -- rights that included freedom of religion and representation in government?

The New Netherlands had been declared a full fledged province of the Dutch Republic. All rights enjoyed by the citizens of the Republic were to be extended to the citizens of the colony. However, the colony had a special status. It was the sole domain of operation of the Dutch West-India Company (DWIC) and the company's local director was also the governor of the province. He could impose taxes over the objections of the council. If this is beginning to sound a bit like the District of Columbia (DC) then you are right. DC is part of the North American federation and its citizens are full citizens of the United States of America. Under the US constitution its citizens enjoy all the rights and duties other US citizens do -- except that DC, too, has a special status where a special interest holds sway. What the DWIC was to the colony of New Netherlands, Congress is to the District of Columbia.

The 17th century Dutch North American adventure was not very profitable and the colony was frequently under threat from Native Americans as well as British forces. In response, the authoritarian governors ignored the marginalized council of citizens who usually advocated diplomacy, negotiation and patience. In and outside of the council the citizenry regularly protested against taxation without representation and the intolerance of other religions by the governor and the Dutch protestant priests. In some cases the citizens sent a delegation to the Netherlands to appeal to the Dutch States General. Mostly these appeals were

won on grounds of Dutch law but too often there was no implementation of these gains because of pressure of the special interest, the DWIC. The stubborn, warring, we-know-better attitudes of the governors regularly backfired and the subsequent revenge of the natives brought hardship and death to the citizens of the province. This stifled the development and growth of the colony which in turn led to neglect of its defenses. When Stuyvesant faced his fellow citizens he must have sensed that the persistent denial of freedoms by him and his predecessors had turned them away. In fact, many expected better treatment from the invading British who, under Cromwell, just had 11 years of republican rule behind them and whose new monarch, Charles II, was fairly enlightened.

The District of Columbia was created at a time when suffrage was not universal. Only property owners had the right to vote. This construct was also present in the Dutch Republic of the 17th century. By rights stakeholder representation should have been present in the colony of the New Netherlands but it wasn't until February of 1664 that the province of New Netherlands received a council modeled on those of the Dutch Republic with representatives of all the towns that were allowed to have councils. The Dutch colony and the Dutch Republic did not survive. The first quickly became a British colony and the second became a monarchy sometime after the French invasion in 1795. However, the elements and principles of representative government survived in the hearts and minds of the former Dutch colony, now New York, New Jersey, Delaware and parts of Pennsylvania and Connecticut. During the remainder of the 17th and 18th centuries representatives of New York pushed for the most liberal form of republican government known at the time, universal suffrage for men, as had been present in the Separatist Plymouth colony in Massachusetts. They were the stake- or shareholders of the community. The United States constitution of 1787 guaranteed those rights of representation. As the nation developed and instituted universal suffrage regardless of sex and/or race, the District of Columbia was left behind. Over the years citizens of the District of Columbia have protested their absence of voting representation in Congress and argued their case in the streets, in the courts, on the floor of the House and the result has always been a continuation of a grave error. Not being convicted felons and not having been declared mentally incompetent it is only the accident of time and location that continues to deny full

citizens their constitutional rights. Just like the DWIC, Congress has the power to give full rights but instead prefers to buy off its guilt by voting extra funds to DC.

The Dutch colony was lost to the British to become New York, whose citizens continued their quest for rights that eventually led to the birth of the American nation. Today there is no risk of losing a badly treated territory to a foreign power. However, the situation does distract seriously from the nation's standing as a defender and promoter of democracy. The absence of moral clarity weakens our case in the eyes of the world but also diminishes our views of ourselves and with it our ability to project the values that we say we espouse. For the citizens of the District it is demoralizing to have its domicile be treated as a fief of Congress. They

see their laws, majority voted and enacted, subjugated to whimsical national politics while they serve the nation in the military, in government, as host to the members of Congress. They want to be one with the proud citizens of a country that was created on the very principals of "no taxation without representation". Members of Congress need to rediscover the Founding Fathers, rise to their level of understanding, erase the glaring blot on our republican democracy, and extend the rights of its constituents to all as guaranteed under the constitution adopted on September 17, 1787, by the Constitutional Convention in Philadelphia, Pennsylvania.

by Mau VanDuren author of the upcoming book "Taxation, Representation and Inalienable Rights,"