

The Alien and Sedition Acts

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A fight on the floor of Congress between Vermont Representative Matthew Lyon and Roger Griswold of Connecticut. Lyon was imprisoned under the Sedition Act for criticizing President John Adams. Photo from Library of Congress

No protesting the government? No immigrants allowed in? No freedom of the press? Lawmakers jailed? Is this the story of the Soviet Union during the Cold War?

No. It describes the United States in 1798 after the passage of the Alien and Sedition Acts.

President John Adams was facing an international crisis. The French were outraged by what they viewed as an Anglo-American alliance in Jay's Treaty. The treaty was signed between the United States and Britain. France suspended diplomatic relations with the U.S. at the end of 1796 and seized more than 300 American ships over two years.

The strong steps that Adams took in response to the French foreign threat also included severe repression of domestic protest. A series of laws known collectively as the Alien and Sedition Acts were passed by the Federalist Congress in 1798. They were signed into law by Adams.

Foreigners viewed as a threat to safety

These laws included new powers to force out foreigners as well as making it harder for new immigrants to vote. Previously a new immigrant would have to reside in the United States for five years before becoming eligible to vote. A new law raised this to 14 years.

Clearly, the Federalists saw foreigners as a deep threat to American safety. The Federalist party was an early American political party in support of a strong central government. As one Federalist in Congress declared, there was no need to "invite hordes of Wild Irishmen, nor the turbulent and disorderly of all the world, to come here with a basic view to distract our tranquility." Not coincidentally, non-English ethnic groups had been among the core supporters of the Democratic-Republicans in 1796.

The most controversial of the new laws permitting strong government control over individual actions was the Sedition Act. In effect, this act prohibited public opposition to the government. Fines and imprisonment could be used against those who "write, print, utter or publish ... any false, scandalous and malicious writing" against the government.

U.S. lawmaker among those imprisoned

Under the terms of this law over 20 Republican newspaper editors were arrested, and some were imprisoned. The most dramatic victim of the law was Representative Matthew Lyon of Vermont. He wrote a letter that criticized Adams' "unbounded thirst for ridiculous pomp, foolish adulation and self avarice." In today's terms, Lyon called him attention-seeking and greedy. He was imprisoned for the letter. While Federalists sent Lyon to prison for his opinions, his supporters re-elected him to Congress even from his jail cell.

The Sedition Act clearly violated individual protections under the First Amendment of the Constitution; however, the practice of "judicial review," in which the Supreme Court considers the constitutionality of laws, was not yet well developed. Furthermore, the justices were all strong Federalists. As a result, James Madison and Thomas Jefferson, then vice president, directed their opposition to the new laws to state lawmakers.

Two states reject federal laws

The Virginia and Kentucky legislatures passed resolutions declaring the federal laws invalid within their states. The bold challenge to the federal government offered by this strong states' rights position seemed to point toward approaching armed conflict within the United States.

Enormous changes had occurred in the explosive years of the 1790s. Federalists in government now viewed the continuation of their party as necessary for the republic to survive, and this led them to make and enforce harsh laws.

Madison, who had been the chief architect of a strong central government in the Constitution, now was wary of national authority. He helped the Kentucky legislature to reject federal law. By placing states' rights above those of the federal government, Kentucky and Virginia had performed an act that would be used as grounds for the secession of Southern states in the Civil War.

Quiz

- 1 Which two of the following sentences from the article include central ideas of the article?
 1. *The French were outraged by what they viewed as an Anglo-American alliance in Jay's Treaty.*
 2. *These laws included new powers to force out foreigners as well as making it harder for new immigrants to vote.*
 3. *The most controversial of the new laws permitting strong government control over individual actions was the Sedition Act.*
 4. *Madison, who had been the chief architect of a strong central government in the Constitution, now was wary of national authority.*

(A) 1 and 2

(B) 2 and 3

(C) 3 and 4

(D) 1 and 4
- 2 Which sentence would be MOST appropriate to include in an accurate and objective summary of the Alien and Sedition Acts?

(A) The Alien and Sedition Acts were obviously intended to suppress voters who supported Democratic-Republicans.

(B) The Alien and Sedition Acts were the direct cause of events that ultimately led to the Civil War between the north and south.

(C) The Alien and Sedition Acts were created to strengthen the federal government by limiting free speech and immigrants' rights.

(D) The Alien and Sedition Acts were an overreaction on the part of the federal government to France suspending diplomacy.

- 3 James Madison and Thomas Jefferson would MOST LIKELY agree with which of the following statements?
- (A) It was important to find a legal way to avoid enforcement of the Alien and Sedition Acts.
 - (B) There are no circumstances under which states should obey the laws of the federal government.
 - (C) The Alien and Sedition Acts were created for a valid purpose, but they were ineffectively enforced.
 - (D) The authority of the Supreme Court is the only way to eliminate unfair laws like the Sedition Act.
- 4 Which of the following MOST contributed to President Adams signing into law the Alien and Sedition Acts?
- (A) the French foreign threat
 - (B) the Anglo-American alliance
 - (C) the insults of Matthew Lyon
 - (D) the First Amendment