The controversial foreign policy of the Federalists prompted domestic protest and governmental repression.
As the U.S. fought an undeclared maritime war against France, immigrants from Ireland attacked Adams’s pro-British foreign policy.
To silence the critics, the Federalists controlled Congress enacted three coercive laws that threatened individual rights and the fledgling party system.
Justification for Alien & Sedition Acts

“The United States . . . were threatened with actual invasion . . . and had then, within the bosom of the country, thousands of aliens, who, we doubt not, were ready to cooperate in any external attack.”
The **Naturalization Act** lengthened the residency requirement for American citizenship – and so the right to vote – from five to fourteen years.
The **Alien Act** authorized the deportation of foreigners.
The **Sedition Act** prohibited the publication of insults or malicious attacks on the president or members of Congress.
“He that is not for us is against us,” read the Federalist *Gazette of the United States*. 
It was the **Sedition Act** that generated the most controversy. Prosecutors arrested more than twenty Republican newspaper editors and politicians, accused them of sedition, and convicted and jailed a number of them.

Political cartoon of Congressman Lyon (holding tongs), and later arrested under the Sedition Acts, brawling with Congressman Roger Griswold.
What developed was a constitutional crisis. With justification, Republicans charged that the Sedition Act violated the First Amendment’s prohibition against “abridging the freedom of speech, or of the press.”
Republicans did not appeal to the Supreme Court because most of the justices were Federalists.
Instead, Madison and Jefferson looked to state legislatures for a solution. At their urging, the Kentucky and Virginia legislatures issued resolutions in 1798 declaring the Alien and Seditious Acts to be “unauthoritative, void, and of no force.”
The resolution set forth an interpretation of the Constitution, asserting that the states had a “right to judge” the legitimacy of national laws.
The debate over the Sedition Act set the stage for the presidential election of 1800.
AN EXPLORATION OF CIVIL LIBERTIES IN AMERICAN HISTORY THROUGH THE LENS OF THE ALIEN AND SEDITION ACTS
WHAT ARE CIVIL LIBERTIES?

• a “form of limitation on the power of a government over its citizens” (Nakaya 8)
• fundamental, inalienable rights of the people

• SOURCES?
  • state constitutions and bills of rights
  • federal Constitution and Bill of Rights

• EXAMPLES?
  • habeas corpus
  • free speech, press, religion, assembly
  • right to bear arms
  • protection against unreasonable searches, arrests, and seizures
  • right to a fair, speedy jury trial
  • right to due process of law
Have Civil Liberties Always Been Protected?

- Alien and Sedition Act
- Civil War
- Labor unrest (late 19th c.)
- World War I
- Red Scare
- World War II
- Cold War
- Vietnam War
- War on Terrorism
- Iraq War
### FEDERALISTS VS. DEMOCRATIC-REPUBLICANS (1798)

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