

THE WHITE HOUSE HISTORICAL ASSOCIATION

Classroom: Grades 9-12

Presidential Transitions: "The Torch is Passed"

Activity - Watch Your Language! The Sedition Act of 1798

Sedition is defined as "incitement of discontent or rebellion against a government." In 1798, the Federalist-dominated Congress and President John Adams passed the Sedition Act. Keep in mind that at the time the United States was in an undeclared naval war with France and the Federalists claimed that certain pro-French citizens had dangerous "revolutionary tendencies." The newly developing Republican Party of Thomas Jefferson believed that this federal law was passed to "muzzle" the political opposition and that the national government had overstepped its authority in passing it. Read a key excerpt from the Sedition Act below: If anyone writes, prints, speaks, or publishes, or knowingly assists in writing, printing, speaking, or publishing anything false, scandalous, and malicious against the United States government, either house of Congress, or the President, with the attempt to attack their reputations or to bring them into contempt or disrepute, or to stir up the hatred of the American people against them, such a person, if convicted, shall be punished by a fine not exceeding two thousand dollars and by not more than two years imprisonment. If any person stirs up hatred against a member of Congress or the President, or promotes sedition within the United States, or organizes any unlawful groups to oppose or resist any law of the United States, or any act of the President, or to resist, oppose, or defeat any such law or act, or to aid, encourage or abet any hostile designs of any foreign nations against the United States, their people or their government, such a person, if convicted, shall be punished by a fine not exceeding two thousand dollars and by not more than two years imprisonment.¹

Activity 1:

James Callender, a Republican journalist, published a pamphlet in 1800 in which he had this to say about President Adams:

The reign of Mr. Adams has, hitherto, been one continued tempest of malignant passions. As president, he has never opened his lips, or lifted his pen, without threatening and scolding. The grand object of his administration has been to exasperate the rage of contending parties, to calumniate and destroy every man who differs from his opinions. . . . Every person holding an office must either quit it, or think and vote exactly with Mr. Adams.²

For this, Mr. Callender was prosecuted under the Sedition Act, fined \$200, and sentenced to prison for nine months.

1. Using your textbook, or another reference source, write a one- or two-paragraph description of the political conditions at the time the Sedition Act was passed, especially as they related to the undeclared war between the United States and France. What were the circumstances of that conflict, and in what ways did the Republicans protest Federalist policy in that undeclared war? Did they do anything other than write about it? By French consular estimates, there were 25,000 French refugees in the United States in 1798. Some were aristocrats who had fled for their lives, but most were avowed revolutionaries who wished to stand in well with France's revolutionary government. As you gather information for your summary paragraphs, consider this question: Did the Federalists have legitimate concerns for the security of the country because of the political activities of these newcomers?
2. After reviewing the Sedition Act (quoted above), paraphrase any passage you believe is a response by Congress to "revolutionary influences" that could be dangerous. Write a brief paragraph describing the main points of the act in your own words.
3. Now click on the Virginia Resolution, and carefully read this protest of the Virginia legislature. What were Virginians' concerns about the Sedition Act? In one paragraph, describe their point of view in your own words.
4. With this background information in mind, consider whether you think Mr. Callender should have been convicted under the Sedition Act. After deciding, write a short defense of the judge who convicted Callender, or refute his decision using the ideas of the Virginia Resolution to make your point. Read your defense or refutation to the class.
5. As a follow-up, rewrite Mr. Callender's remarks, using language that makes a similar point but might not have resulted in conviction under the act. Read the new version to your classmates and ask them to judge it, using the Sedition Act as a guideline.

For discussion: How might a law restricting criticism of the president remind the citizens of the young republic of colonial times? Should the president of the United States get special privileges in the matter of public criticism? Would suppressing criticism of the president stop strong political views from forming? Can you think of any way words that when spoken against the president could be dangerous to the security of the nation in its relation to foreign enemies?

What choices do people in a democratic government have if they do not like what is written in certain newspapers? Is a free press necessary to a free state? One principle that has been applied by the Supreme Court in decisions affecting free speech is based on the concept that the truth will emerge in what is referred to as "the marketplace of ideas." In other words, good ideas will eventually prevail if there is free and unfettered discussion.³

Do you agree that there is a value in giving expression to all ideas, even if some of them are biased and hostile? How do you think reading "toned down" articles, such as the one you wrote in step five, could help or hinder the process of discovering the truth about political issues?

Activity 2:

When Thomas Jefferson became president, his Republican supporters lost no time in ensuring that the Sedition Act would not be revived when it expired in 1801.

Furthermore, Jefferson saw to it that those who had been imprisoned for violating the Sedition Act were set free and their fines refunded. However, imagine if such a law existed today.

Using the Guide to Periodical Literature, find at least two recent newsmagazine articles that severely criticize the current presidential administration and whose editorial writers could have been charged with sedition under the 1798 act. Check particularly controversial topics such as the abortion debate, U.S. involvement in Bosnia, or the Clinton impeachment battle. If possible, clip from two separate print sources.

1. Briefly describe what policy or act of the administration is under protest.
2. Write down at least two sentences that you believe contain strictly factual information.
3. Identify two or three specific sentences that you think might have been considered (a) false; (b) scandalous; and (c) malicious according to the act.
4. Articles that take a strong point of view often use "color" words, language that is almost sure to produce an emotional response from the reader. Identify at least three such "color" words from your articles.

Present your findings to your classmates, sharing with them the language that would have been illegal under the Sedition Act. Ask your classmates if they see any reason such an article would be dangerous to the government?

For discussion: As a reader, do you believe everything you read in a newspaper? Based on your political convictions, what "color" words automatically cause you to react? How do you view an editorial opinion compared to hard news? What is the difference between the two? What do you think the political environment of the country would be like if the Sedition Act were still in place today? In what other ways might citizens make judgments about their leaders?