**Sedition Act**

Foundations of America

From: TPS, Nicole Gilbertson

**History Standards: 8.3.4**

Understand how the conflicts between Thomas Jefferson and Alexander Hamilton resulted in the emergence of two political parties (e.g., view of foreign policy, Alien and Sedition Acts, economic policy, National Bank, funding and assumption of the revolutionary debt).

**CCSS Standards: Reading, Grades 6-8**

1. Cite specific textual evidence to support analysis of primary and secondary sources.

2. Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.

3. Identify key steps in a text’s description of a process related to history/social studies (e.g., how a bill becomes law, how interest rates are raised or lowered).

4. Determine the meaning of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies.

6. Identify aspects of a text that reveal an author’s point of view or purpose (e.g., loaded language, inclusion or avoidance of particular facts).

8. Distinguish among fact, opinion, and reasoned judgment in a text.

10. By the end of grade 8, read and comprehend history/social studies texts in the grades 6–8 text complexity band independently and proficiently.

**Guiding Question:**Should the freedom of speech and the press ever be limited?

**Overview of Lesson:**This lesson will take 2 full class periods.

Overview

In this lesson, students will consider the first limitations on the freedom of speech and press through the Sedition Act passed by Congress and signed by President Adams in 1798. Students will work through their understanding of the term sedition and how it related to the historical context of the late 1790s. This lesson highlights the important link between foreign and domestic policy in the early republican period.

Objectives

After completing this learning activity, students will be able to:

* define the word “sedition”;
* understand the domestic debate around the Sedition Act; and develop a written response to the question, “Should the freedom of speech and the press ever be limited?”

Preparation

Make copies of the documents as noted below.

Procedure

1. Begin the lesson by asking students to define and discuss the freedoms guaranteed to Americans by the First Amendment of the Constitution. For reference the First Amendment states:

*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.*

Ask students if they think there should be exceptions to the freedoms outlined in the First Amendment. Students should discuss this in pairs and then share out their answers as a class.

If students need more support to read and comprehend the meaning of the text use the scaffold below to assist students with filling out the form. Students should see the parallel construction of the text. The teacher should highlight that the historical participant, or agent, is “Congress” and that the law is written to include several freedoms. The teacher may want to give examples of each freedom using current events.

Explain to students that the lesson will study a moment in history when the government passed a law, the Sedition Act of 1798, to outlaw the freedom of speech and the press. To support English Learners, the teacher may want to provide sentence scaffolds for discussion. Sentence scaffolds to help produce more complex sentences.

Examples:

* The Constitution guarantees…
* Freedom of speech and the press should never be limited because…
* I think it is acceptable to limit freedom of speech and the press but only…

1. Define the word “sedition.” Write sedition on the board or display the word on a projector. Ask students if they have heard this word or have any ideas of what this word means. Write students’ responses on the board. Write the definition on the board: any action, in speech or writing, that inspires rebellion against the government. Ask students to consider a time in history when sedition might have happened or when the U.S. government should be worried about sedition.
2. Provide students with a review of the background context of the Sedition Act. To support English Learners, this review may include images, timelines, and textbook excerpts. Include a discussion of:
   1. The ongoing war between Britain and France and the United States role in the conflict. The XYZ affair, the emergence of American nationalism and antipathy towards the French, and French seizure of American ships in the Caribbean.
   2. The passage of the Alien and Sedition Acts in 1798.
   3. The growth of the two-party system and the leadership of the Federalist and Democratic Republicans. The government arrest of Republican printers.
3. Read the Sedition Act. To support English Learners and students with low-literacy skills use Document 1 handout. (This document supports English Learners by excerpting the text into shorter sections followed by a chart for students to break down the participants and processes of the text. Then students are asked clarifying and supporting questions; each excerpt includes a glossary that defines academic and archaic terms for the reader.) Read each portion of the text aloud and ask students to read along. Discuss the meaning of each portion of the text before asking the students the questions of the document listed below each section. As an alternative teachers may want students to read the entire Sedition Act and answer the questions on Document 1 handout individually.

Teachers should then work with students to analyze the primary source using the 6 C’s of Primary Source Analysis. The 6 C’s is a tool developed by the University of California, Irvine History Project [please link to our website at <http://www.humanities.uci.edu/history/ucihp/>] that allows students to gain the confidence and the ability to analyze a single primary source through a step-by-step process. This template supports a deep analysis that begins with students identifying the content of the source, the first C. By focusing on the content as the first step, students approach the source as objective observers. The second C is the citation, which provides students with the background information to locate the source in its proper context, the third C. The teacher often needs to provide students with the information necessary for them to complete these two portions of the analysis. The fourth C is connections, a place where students can brainstorm some ideas of how this source reminds them of other things they have learned. The fifth C is communication and supports students to analyze the message of the source as well as consider the bias or the author’s point of view. After considering all of the C’s, students are able to reach a conclusion about the primary source.

As a culminating discussion, the teacher should ask students if the Sedition Act is constitutional and discuss this as a class.

1. In groups, ask students to read either Document 2, the Response to the Sedition Act, or Document 3, the Kentucky Resolution. In groups, students should respond to the questions. Ask groups to summarize each source and respond to the questions: What was the source about? What did the author(s) think about the Sedition Act? What examples did they give as a response to the Sedition Act and to support their opinions?
2. Ask students the question, should the freedom of speech and the press ever be limited? Remind students that the nation was at war with Britain, ask them if this is a reason to limit freedom of speech and the press. Students should each respond to the question and consider whether the Sedition act was constitutional or not. Each student should write a written response using evidence from the sources. Teachers may want to use the outline in Document 5 to assist students in writing a response. In preparation for the written response, teachers may want to have a class discussion to provide students with ideas and the vocabulary necessary to write a response to the prompt. Sentence scaffolds can be used to help produce more complex sentences.

Examples:

* I believe there should/should not have been limits on freedom of speech and the press because……
* Freedom of speech and the press should never be limited because…
* I think it is acceptable to limit freedom of speech and the press but only….
* Document \_ argued for/against freedom of speech because…

Document 1: First Amendment Scaffold

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Document 2: Sedition Act

Make copies of each of the document for each student of the Sedition Act.

<http://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=719>

or high-quality version

<http://memory.loc.gov/ll/llsl/001/0700/07200596.tif>

For English Learners, teachers may want to display the image of the Sedition Act on a projector and provide students each with an excerpted and scaffolded version of the document in Document 1 (see handouts below).

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Document 3: Response to the Sedition Act  
**To the Senate and Representatives of the United States, in Congress assembled. It is equally foreign from our wishes and intentions to criminate the motives of the national legislatures ... [Regarding the alien and sedition laws.] [Poughkeepsie:**  
[[Armstrong, John] 1758-1852.](http://memory.loc.gov/cgi-bin/query/r?ammem/rbpebib:@OR%28@field%28AUTHOR+@3%28%5BArmstrong,+John%5D+1758+1852++%29%29+@field%28OTHER+@3%28%5BArmstrong,+John%5D+1758+1852++%29%29%29)   
**CREATED/PUBLISHED**  
Poughkeepsie, 1798.

[http://hdl.loc.gov/loc.rbc/**rbpe**.**22400900**](http://hdl.loc.gov/loc.rbc/rbpe.22400900)

<http://memory.loc.gov/rbc/rbpe/rbpe22/rbpe224/22400900/001dr.jpg>

Make one copy per group of the document. For English Learners, teachers may want to display the image of the document on a projector and provide students each with an excerpted and scaffolded version of the document in Document 2 (see handouts below).

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Document 4: Kentucky Resolution

**Thomas Jefferson, November 16, 1798, Kentucky Resolution**

<http://memory.loc.gov/cgi-bin/query/r?ammem/mtj:@field%28DOCID+@lit%28tj080201%29%29>

Make one copy per group of the document. For English Learners, teachers may want to display the image of the document on a projector and provide students each with an excerpted and scaffolded version of the document in Document 3 (see handouts below).

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Document 5: Writing response

Make one copy per student to assist in the culminating writing task.

Resources

For background information on the Alien and Sedition Acts go to:

<http://www.loc.gov/rr/program/bib/ourdocs/Alien.html>

**Document 1: First Amendment Scaffold**

**First Amendment**

*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.*

|  |  |  |  |
| --- | --- | --- | --- |
| **Historical Participant** | **Process**  **(what did they do?)** | **Circumstance**  **(effects of the process)** | **My Summary** |
| Congress shall | make no law | respecting an establishment of religion |  |
|  |  | prohibiting the free exercise thereof  (free exercise of what?) |  |
|  |  | abridging |  |
|  |  | the right of people peaceably \_\_\_\_\_\_\_\_\_ |  |
|  |  | to petition­­ |  |

**Document 2: Sedition Act July 14, 1798**

Document 2: Sedition Act July 14, 1798

Part 1

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| *That if any person shall write, print, utter or publish, or shall cause or procure to be written, printed, uttered or published, or shall knowingly and willingly assist or aid in writing, printing, uttering or publishing any false, scandalous and malicious writing or writings against the government of the United states, or either house of the Congress of the United States, or the President of the United States…* | | | | utter—to speak  procure—to get something by special means (for example, to buy something).  Scandalous—untrue  malicious—being mean on purpose |
| **Historical Participant** | **Process**  **(what did they do?)** | **Subject** | **My Summary** | |
| *if any person* | *shall write, print, utter or publish* |  |  | |
|  | *shall cause or procure to be written, printed, uttered or published,* |  |  | |
|  | *shall knowingly and willingly assist or aid in writing, printing, uttering or publishing* | *any false, scandalous and malicious writing or writings against the government of the United states,* |  | |
|  |  | *or either house of the Congress of the United States,* |  | |
|  |  | *or the President of the United States…* |  | |

Questions for Sedition Act Document Part 1

What is made a crime by the Sedition Act?

What types of people in the late 1790’s might be found guilty of this crime? Who is protected under this law? Who is not protected under this law?

Document 2: Sedition Act July 14, 1798

Part 2

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| *with intent to defame the said government, or either house of the said Congress, or the said President, or to bring … the hatred of the good people of the United States, or to stir up sedition within the United States* | | | | intent—to do something on purpose  defame—attack someone through speech or writing |
| **Historical Participant** | **Process**  **(what did they do?)** | **Subject** | **My Summary** | |
| *[if any person]* | *with intent to defame* | *the said government* |  | |
|  |  | *or \_\_* |  | |
|  |  | *or \_\_* |  | |
|  | *to bring … the hatred* | *of \_\_* |  | |
|  | *to \_\_* | *within the United States* |  | |

Questions for Sedition Act Part 2

What does the Sedition Act guard against? What does it outlaw?

What does the law state can be caused by writings that defame the government?

Why would the government be afraid or worried about writings that defame the government?

Document 2: Sedition Act July 14, 1798

Part 3

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| *to aid, encourage or abet any hostile designs of any foreign nation against the United States, their people or their government, then such person…shall be punished by a fine not exceeding two thousand dollars, and by imprisonment not exceeding two years.* | | | Aid—to help or give assistance to something or someone  abet—to help someone with a crime  hostile designs—bad or evil plans  fine—an amount of money paid to the government as a punishment ( for example, a traffic fine for speeding while driving) | |
| **Historical Participant** | **Process**  **(what did they do?)** | **Subject** | | **My Summary** |
| *[if any person]* | *to aid, encourage or abet* | *any \_\_* | |  |
|  |  | *their people \_\_* | |  |
| such person |  | *a fine \_\_* | |  |
|  |  | *and by \_\_\_* | |  |

Questions for Sedition Act Part 3

What else is made illegal under the Sedition Act?

Why would the U.S government be worried about foreign nations at this time in history?

**Document 3: Response to the Sedition Act 1798**

Document 3: *“To the Senate and Representatives of the United States, in Congress assembled. It is equally foreign from our wishes and intentions to criminate the motives of the national legislatures..”* Response to the Sedition Act 1798. John Armstrong

Part 1

|  |  |
| --- | --- |
| *By this law citizens of their states are prohibited, under the severest penalties, from expressing even their disapprobation of any part of the conduct of the President, or of either house of Congress, through the medium of the press…* | prohibited—forbidden or unable to do by law  severest penalties—strongest punishment  disapprobation—disapproval  conduct—actions or behaviors |

Questions for Response to the Sedition Act Document Part 1

Do you think that Mr. Armstrong was for or against the Sedition Act? Use examples from the sources to support your answer.

What did the author say about the punishment of the Sedition act?

Why would Mr. Armstrong be against the Sedition Act?

Document 3: Response to the Sedition Act 1798. John Armstrong

Part 2

|  |  |
| --- | --- |
| *What stronger, what more precise definition of slavery can be given than this? That we can state no belief, hazard no opinion, that …lessen the public estimation of a public servant.* | Precise—specific or exact  state—say or comment  hazard no opinion—risk sharing an opinion  estimation—judgment or opinion  public servant—an elected official (for example, a senator) |

Questions for Response to the Sedition Act Document Part 2

What did Mr. Armstrong think people have the right to do?

Why did he link the Sedition Act to slavery?

**Document 4: Kentucky Resolution**

Document 4: Thomas Jefferson, November 16, 1798, Kentucky Resolution

Part 1

|  |  |
| --- | --- |
| [S]pecial provision has been made by one of the amendments to the Constitution which expressly declares, that “Congress shall make no law respecting an Establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press,” thereby guarding in the same sentence, and under the same words, the freedom of religion, of speech, and of the press, | provision—law in a legal document  expressly declares—specifically states |

Questions for Kentucky Resolution Part 1

Do you think that the Kentucky Resolution was for or against the Sedition Act?

What document did Mr. Jefferson refer to in his response to the Sedition Act?

Why did Mr. Jefferson use this example from the Constitution to respond to the Sedition Act?

Document 4: Thomas Jefferson, November 16, 1798, Kentucky Resolution

Part 2

|  |  |
| --- | --- |
| That, therefore the act of the Congress of the United States passed on the 14th day of July 1798, entitled “An act in addition to the act for the punishment of certain crimes against the United States,” which does abridge the freedom of the press, is not law, but is altogether void and of no effect. | abridge—lessen or cut-off  void—has no legal force |

Questions for Kentucky Resolution Part 2

What did Mr. Jefferson think of the Sedition Act?

What evidence did Mr. Jefferson use to support his opinion?

**Document 5: Written Response**

Do you think the Sedition Act was constitutional or not? Why?

What documents support your opinion? Find 2 examples from at least one of the documents to support your opinion and write them below.

Prompt: Should the Freedom of speech and the press ever be limited?

Written response:

The freedom of speech and press \_\_\_\_\_\_\_\_\_\_ be limited by the government. In 1798, the Congress passed the Sedition Act that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (use example from Document 1). This law was \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

People across the United States were against the law. (use example from Document 2 or 3). \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(explain why the author was against the Sedition act). \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_I think that the freedom of speech and press (explain why you do or do not think the Sedition act was Constitutional, refer to the documents) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Give your opinion about the question, do you think the government ever has a right to limit freedom of speech and the press and give an explanation to support your answer) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_