

# **The Alien and Sedition Acts**

## **The 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 of the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.

## **The Alien Enemies Act**

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That whenever there shall be a declared war between the United States and any foreign nation or government, or any invasion or predatory incursion shall be perpetrated, attempted, or threatened against the territory of the United States, by any foreign nation or government, and the President of the United States shall make public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being males of the age of fourteen years and upwards, who shall be within the United States, and not actually naturalized, shall be liable to be apprehended, restrained, secured and removed, as alien enemies.

1. What does this excerpt say? Put it into your own words in two to four sentences.
2. What groups of people did the Alien Enemies Act affect?
3. Would the Alien Enemies Act be in effect all the time? If not, when would it be in effect?

## **The Sedition Act**

SEC. I Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That if any persons shall unlawfully combine or conspire together, with intent to oppose any measure or measures of the government of the United States, which are or shall be directed by proper authority, or to impede the operation of any law of the United States, or to intimidate or prevent any person holding a place or office in or under the government of the United States, from undertaking, performing or executing his trust or duty; and if any person or persons, with intent as aforesaid, shall counsel, advise or attempt to procure any insurrection, riot, unlawful assembly, or combination, whether such conspiracy, threatening, counsel,

advice, or attempt shall have the proposed effect or not, he or they shall be deemed guilty of a high misdemeanor, and on conviction, before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding five thousand dollars, and by imprisonment during a term not less than six months nor exceeding five years; and further, at the discretion of the court may be holden to find sureties for his good behaviour in such sum, and for such time, as the said court may direct.

4. What does this section say? Put it into your own words in two to four sentences.
5. This section makes it illegal to “unlawfully” combine or conspire against any government measure and to participate in an “unlawful” assembly. Define the word “unlawful”? Who do you think would get to decide what’s unlawful and what’s lawful?
6. According to this section, what could happen to a group of friends who planned a protest against the government’s policies toward France?

SEC. 2. And be it further enacted, That if any person shall write, print, utter or publish, or shall cause or procure to be written, printed, uttered or publishing, 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, with intent to defame the said government, or either house of the said Congress, or the said President, or to bring them, or either of them, into contempt or disrepute; or to excite against them, or either or any of them, the hatred of the good people of the United States, or to excite any unlawful combinations therein, for opposing or resisting any law of the United States, or any act of the President of the United States, done in pursuance of any such law, or of the powers in him vested by the constitution of the United States, or to resist, oppose, or defeat any such law or act, or to aid, encourage or abet any hostile designs of any foreign nation against the United States, their people or government, then such person, being thereof convicted before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding two thousand dollars, and by imprisonment not exceeding two years.

7. What does this section say? Put it into your own words in two to four sentences.
8. According to this section, could the following people be punished?
  - a. Someone who published a pamphlet stating that John Adams was a “warmonger.”

- b. Someone who stood on a wooden box in the town square and told a passerby that the United States should not fight with France.
  - c. A Democratic-Republican Congressman who openly expressed his sympathies for the French.
9. Why do you think the Federalist-controlled U.S. government enacted the Alien and Sedition Acts? What group of American people was the Adams administration concerned about?
10. Do you think anything in these acts comes into conflict with the First Amendment? If so, which parts in particular do you think are the most contradictory to this amendment?