The Kentucky and Virginia Resolutions (1798/99)

The Kentucky and Virginia Revolution were two different resolutions, but equally protested the Alien and Sedition Acts. One law gave the President the power to deport any alien that he judged to be hazardous to the peace, or safety of the United States. These harsh laws, created to control the amount of European immigration into the U.S. The Sedition Act was a law that prohibited any publication against the federal government against the Constitutional right to free speech. The reason these laws were passed was because Congress was dominated by federalist. With the federal government on a power trip, Thomas Jefferson and James Madison wrote the Kentucky and Virginia resolutions. The Republican legislatures wrote that the states should have the right to judge the Constitutionality of the acts of congress. Jefferson and Madison believed in strong states, and a limited federal government.

These documents’ tried to mediate between the states’ rights and federal authority. The reason these documents were so important was that there had never existed any official documents that challenged the Constitutionality of laws or that echoed back to the Declaration’s sentiment that laws not reflective of the people could be protested.

"Little real doubt exists that Jefferson intended his Kentucky resolution to assert the doctrine of nullification; he believed a state had the right to pronounce an act of Congress null and void, and prevent its execution. Thirty years later South Carolina, in bringing out its nullification doctrine, appealed to Jefferson's precedent. Madison then denied that he or Jefferson had intended this. He original draft actually declared that "a nullification of the act is the rightful remedy." The whole issue, however, now event went into the election of 1800." (Kraus 293-294)

"These resolutions set forth the right of the states to judge the constitutionality of the acts of Congress. Although no state took such action, the resolutions helped to create a public sentiment against the Federalists for restricting constitutional freedoms." (Griggs and McCandless 102)

"The Kentucky and Virginia Resolutions revived the debate over whether the federal government or the states were sovereign. The idea of state nullification of federal laws would surface again." (Davidson and Lytle 192-193)

"The Constitution did not say who was to judge if Congress went beyond the powers granted in the Constitution. Madison and Jefferson believed the states had that right. The states' rights doctrine they championed would at last be carried so far that it would lead to civil war." (Boorstin and Kelley 168-169)

"The "compact" or "state rights" theory embodied in the Virginia and Kentucky resolves is significant. Kentucky declared that whenever Congress palpably transcends our powers, as in the Sedition Act, each state "has an equal right to judge for itself, as well of infractions as of the mode and measure of redness. Both state legislatures had
their eyes on the coming presidential election and were really engaged in lighting a fiery cross to rally the Republican clans. Yet the principals of the Virginia and Kentucky resolves of 1798 became a platform to all later movements in state rights." (Morrison 354)

"The Republican-controlled legislatures of Virginia and Kentucky responded to the crises of 1798 by each passing a set of resolutions. The Constitution, they claimed, was a compact between sovereign states, which delegated strictly limited powers to the federal government. But Jefferson and Madison were not ready to rend a union that had so recently been forged. They hoped the Virginia and Kentucky resolutions would rally public opinion to the Republican cause, but they did not encourage Virginia or Kentucky to resist federal authority by force." (Davison and Gienapp 291)
WORKS CITED


