

The virginia and kentucky resolutions

[Countries](#), [United States](#)



The Virginia and Kentucky Resolutions The Virginia and Kentucky Resolutions sparked great controversy throughout the United States during 1798 and 1799. The resolutions were manifestos that protested against the Federalist Alien and Sedition Acts. The authors of the resolutions remained anonymous, but were written by James Madison and Thomas Jefferson, who were upset with how the Federalists were ruling the nation. These two republicans knew something needed to be done for the central government to be limited and the states to gain more power. Madison's Virginia Resolution declared that state legislatures had never surrendered their right to judge the constitutionality of federal actions and that they retained an authority called interposition. This authority enabled them to protect the liberties and rights of their citizens. An example of Madison expressing his will was when he stated " The General Assembly doth solemnly appeal to the like dispositions of the other states, in confidence that they will concur with this commonwealth in declaring, as it does hereby declare, that the acts aforesaid, are unconstitutional ; and that the necessary and proper measures will be taken by each, for co-operating with this state, in maintaining the Authorities, Rights, and Liberties, referred to the States respectively, or to the people." Madison wanted the people's civil liberties to be protected because he felt the Federal government was passing laws that were considered unconstitutional and violating citizen's rights and yet were still being enforced. In Jefferson's resolution for Kentucky, he went even further by declaring that ultimate sovereignty rested with the states, which empowered them to reject federal laws to which they objected. He stated, " To their resolutions passed at the last session, respecting certain

unconstitutional laws of Congress, commonly called the alien and sedition laws, would be faithless indeed to themselves, and to those they represent, were they silently to acquiesce in principles and doctrines attempted to be maintained in all those answers, that of Virginia only excepted. To again enter the field of argument, and attempt more fully or forcibly to expose the unconstitutionality of those obnoxious laws, would, it is apprehended be as unnecessary as unavailing." Jefferson felt that the states should have the power to declare laws, like The Alien and Sedition Laws, unconstitutional if agreed upon by the states. Both of the resolutions' intentions were to invalidate any federal law in a state that had classified the law unconstitutional. Generally, the resolutions argued that because the federal government was the result of a binding agreement between all the states, all powers not specifically granted to the central government would be passed on to the individual states or the people. They were fearful of the federal government garnering too much power. This was the reason Madison and Jefferson maintained that the states had the power to pass upon the constitutionality of federal legislations and laws. The Virginia and Kentucky Resolutions were examples of how passion was ignited when limitations were placed on civil liberties like those found in the Alien and Sedition Acts. These written protests were not meant to seem as expressions of full-blown constitutional theory. Later references to the resolutions as authority for the theories of nullification and secession were uneven given the limited goals sought by Jefferson and Madison in creating their protests. They felt that the government was becoming a counterpart of English tyranny and couldn't let the nation fall into an absolute monarchy with a group of elites controlling all

the power. The resolutions had a lasting impact on the nation as it gave rise to a growing hatred and contempt for Federal authority. Although no other states endorsed these resolutions, their passages illustrated the potential for the separation of the union. The young country was still trying to find its way. Democracy as it turns out, was not a linear progression. It had hurdles to overcome including the differing opinion on where ultimate power should rest. The Virginia and Kentucky Resolutions proved to be the initial disagreements upon which the very validity of a central government would be sorely tested.