

The Kentucky Resolution, 1799 - Excerpts

THE representatives of the good people of this commonwealth in general assembly convened, having maturely considered the answers of sundry [several] states in the Union, to their resolutions passed at the last session, respecting certain unconstitutional laws of Congress, commonly called the alien and sedition laws . . .

Our opinions of those alarming measures of the general government, together with our reasons for those opinions, were detailed with decency . . . and submitted to the discussion and judgment of our fellow citizens throughout the Union. . . .

RESOLVED, That this commonwealth considers the federal union, upon the terms and for the purposes specified in the late compact [the Constitution], as conducive [favorable] to the liberty and happiness of the several states: That it does now unequivocally [clearly] declare its attachment to the Union, and to that compact, agreeable to its obvious and real intention, and will be among the last to seek its dissolution: That if those who administer the general government be permitted to transgress [go beyond] the limits fixed by that compact, by a total disregard to the special delegations of power therein contained, annihilation of the state governments, and the erection upon their ruins, of a general consolidated government, will be the inevitable consequence: That the principle and construction contended for by sundry [several] of the state legislatures, that the general [federal] government is the exclusive judge of the extent of the powers delegated to it, stop nothing short of despotism; since the discretion of those who administer the government, and not the constitution, would be the measure of their powers: That the several states who formed that instrument, being sovereign and independent, have the unquestionable right to judge of its infraction; and that a nullification, by those sovereignties, of all unauthorized acts done under colour of that instrument, is the rightful remedy: That this commonwealth does upon the most deliberate reconsideration declare, that the said alien and sedition laws, are in their opinion, palpable violations of the said constitution; and however cheerfully it may be disposed to surrender its opinion to a majority of its sister states in matters of ordinary or doubtful policy; yet, in momentous regulations like the present, which so vitally wound the best rights of the citizen, it would consider a silent acquiescence

[acceptance] as highly criminal: That although this commonwealth as a party to the federal compact; will bow to the laws of the Union, yet it does at the same time declare, that it will not now, nor ever hereafter, cease to oppose in a constitutional manner, every attempt from what quarter soever offered, to violate that compact:

AND FINALLY, in order that no pretexts or arguments may be drawn from a supposed acquiescence on the part of this commonwealth in the constitutionality of those laws, and be thereby used as precedents for similar future violations of federal compact; this commonwealth does now enter against them, its SOLEMN PROTEST.

Approved December 3rd, 1799.

-Written by Thomas Jefferson

Note: Kentucky became a state in 1792

- 1. According to the first two paragraphs, how do the representatives of the Kentucky General Assembly feel about the Alien and Sedition Acts?**
- 2. According to the resolution, how does the Kentucky General Assembly feel about the federal union established by the U.S. Constitution?**
- 3. According to this resolution, who [or what] has the power to determine whether the federal government has abused its power?**
- 4. According to this resolution, what can / should a state do if the federal government passes laws that violate the Constitution?**
- 5. Explain the meaning of this phrase from the resolution, “*That the several states who formed that instrument, being sovereign and independent . . .*”**