



PROJECT MUSE®

---

*Reclaiming the American Revolution: The Kentucky and  
Virginia Resolutions and Their Legacy* (review)

Elizabeth Oliver Lee

West Virginia History: A Journal of Regional Studies, New Series,  
Volume 1, Number 1, Spring 2007, pp. 104-105 (Review)

Published by West Virginia University Press

DOI: <https://doi.org/10.1353/wvh.2008.0016>



➔ *For additional information about this article*

<https://muse.jhu.edu/article/236013>

*Virginia at War, 1861* adds to the knowledge and appreciation of the state's place in history during the secession crisis and Civil War. However, the straining efforts to justify the Confederacy and Virginia's place in it dampen the scholarship of the work. What's more the pity is that such efforts are unnecessary. Balance has been brought to the historical record of secession, the Civil War, and the separation of Virginia and West Virginia. The efforts in *Virginia at War, 1861* only exhibit an unoriginal approach that tempts the reader to view the book as secondarily important.

Randall S. Gooden  
Clayton State University

*Reclaiming the American Revolution: The Kentucky and Virginia Resolutions and Their Legacy.* By William J. Watkins Jr. (New York: Palgrave Macmillan, 2004. Pp. xx, 236).

*Reclaiming the American Revolution* examines the politics and legislation of a tumultuous and frequently disregarded period of American history, the post-Revolutionary 1790s, and the impact those politics have had on American government. Watkins focuses on the foreign policy debates that divided the Federalist and Republican political factions and led to the passage of the Alien and Sedition Acts of 1798. These acts were intended to consolidate Federalist control of the government and to silence the criticism of the administration, particularly by foreign-born statesmen. They also gave the president arbitrary powers to arrest and deport any aliens imprisoned under the act, thus stripping them of the right of due process.

The Alien and Sedition Acts prompted a debate between Federalists and Republicans over the powers of the national government and free speech. Federalists defended the acts, arguing that it was the inherent power of a government to protect itself against injury. The Kentucky and Virginia Resolutions, which Watkins calls "a reaffirmation of the spirit of 1776" (1), were authored by Republicans Thomas Jefferson and James Madison in response to the Alien and Sedition Acts. Both felt that with the Alien and Sedition Acts, as well as other abuses, the national government under the Federalists had gone beyond the bounds of constitutional power, assuming undelegated powers. The Resolutions called for protest by the states, although they were ambiguous as to the form of protest. Jefferson's initial draft of the Kentucky Resolutions called for the nullification of unconstitutional national laws by the states, but the term was struck from the final draft.

The Virginia and Kentucky Resolutions did not have the impact that Jefferson and Madison had anticipated. The legacy of the resolutions, however, is significant. At the time, the southern states ignored them, and northern states attacked the idea of nullification, as well as Virginia and Kentucky for criticizing the national government. Jefferson responded with a call for secession by Virginia and Kentucky from the United States, should the Federalist policies continue. Later in the nineteenth century, however, in the debate over states' rights, the resolutions were cited as precedents for the Nullification Crisis of 1832 and the secession of the Southern states at the start of the Civil War. Southerners simply "view[ed] themselves as acting in the spirit of their forefathers" (109).

Watkins is an attorney specializing in constitutional law, not a historian. He does rely largely on primary documents and offers an interesting perspective for the historian through the use of many legal interpretations and writings on the Constitution and resolutions. However, even though Watkins is aware that political parties as we know them today did not yet exist, as he states in a footnote (181n2), he refers to Jefferson and his political faction as the Republican Party, a misleading term. He also uses the word "libertarian" in the modern political sense, a meaning that did not exist in the eighteenth century. His use of modern language, though, does help to emphasize the connections that he sees between the oppressive Alien and Sedition Acts and actions of the government today.

In *Reclaiming the American Revolution*, Watkins's discussion of the role of the Constitution and the national government today is timely and thought-provoking. He obviously feels that what the authors of the resolutions most feared has come to pass: power has been consolidated in the national government at the expense of the states. This process began during the Civil War and has gathered speed in recent years with such legislation as the Patriot Act of 2001. His final chapter, titled "Lessons for Today," stresses that "our system [of government] is not functioning as intended" (137). Watkins praises the acts of states to regain their sovereignty, such as Nevada's challenge to the national government in legalizing medical marijuana, and encourages Americans to revisit the message of the resolutions by challenging the present form of government by strict constitutional interpretation of the law and limited federal power.

Elizabeth Oliver Lee  
West Virginia University