



Written by [Bob Adelman](#) on April 26, 2010

## Media Calls the Tea Party Patriots “Seditious”

When Joe Klein of Time magazine was forced to defend his comments about Sarah Palin and Glenn Beck coming “close to being seditious,” he backed off — a little. His original statement was made on the NBC’s “The Chris Matthews Show” on Sunday, April 18th:



I did a little bit of research just before this show – it’s on this little napkin here. I looked up the definition of sedition, which is conduct or language inciting rebellion against the authority of the state. And a lot of these statements, especially the ones coming from people like Glenn Beck and to a certain extent Sarah Palin, rub right up close to being seditious.”

He posted his [backpedal](#) on *Time*’s “Swampland” blog: “On the Chris Matthews Show Sunday, I said that some of the right-wing infotainment gasbags — people like Glenn Beck etc. — were nudging up close to the edge of sedition. This has caused a bit of a self-righteous ruckus on the right. Let me be clear: dissent isn’t sedition. Questioning an administration’s policies isn’t sedition ... but it is disgraceful and the precise opposite of patriotism in a democracy.”

Klein has lots of company in the media who think that the United States is a democracy, not a republic, and that limitations as spelled out in the Constitution and the Bill of Rights are “a bunch of baloney,” as [proclaimed](#) by David Shuster of MSNBC and are erroneously supported by “tentherers,” according to Lawrence O’Donnell. But the issue wasn’t in doubt when John C. Calhoun, America’s 7th Vice President, asked:

... whether ours is a federal or a consolidated government; a constitutional or absolute one; a government resting ultimately on the solid basis of the sovereignty of the States or on the unrestrained will of a majority; a form of government, as in all other unlimited ones, in which injustice, and violence, and force must finally prevail. *Let it never be forgotten that, where the majority rules without restriction, the minority is the subject....* [emphasis in the original]

One of the most famous and shameful efforts to quell criticism of the federal government occurred just a few years after the Constitution was ratified in 1787. An undeclared war, the “Quasi-War” against France, was being subjected to harsh criticism by knowledgeable and determined constitutionalists, who claimed that such military action was unconstitutional since war hadn’t been declared by Congress. When the second President of the United States, John Adams, signed into law the Alien and Sedition Acts in 1798, Thomas Jefferson was so outraged that he and James Madison wrote the [Kentucky and Virginia Resolutions](#). Those resolutions set the tone of the debate over state sovereignty and federalism for years to come.

The 4 laws that [comprised](#) the Alien and Sedition Acts were:



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1. **The Naturalization Act**, which extended the duration of residence required for aliens to become citizens from 5 years to 14 years. It was repealed in 1802.
2. **The Alien Friends Act**, which authorized the President to deport any resident alien considered “dangerous to the peace and safety of the United States.” The law expired in June, 1800.
3. **The Alien Enemies Act**, authorized the president to apprehend and deport resident aliens if their home countries were at war with the United States. This law remains in effect today.
4. **The Sedition Act**, made it a crime to publish “false, scandalous, and malicious writing” against the government or its officials. This law expired on March 3rd, 1801.

The core of the criticism of these laws by Jefferson and Madison was the position that the Constitution was a “compact,” holding that the United States was a voluntary union of states that agreed to cede a limited amount of their sovereignty to the federal government, and that consequently, the states could always determine that if that government violated any of those limits, they were free to nullify such violations or, in an extreme case, to withdraw from the union.

Other attempts to infringe on the freedom of speech included the Espionage Act of 1917, which was largely repealed in 1921 while leaving laws against foreign espionage in place. In 1940 the Alien Registration Act, or the “Smith Act,” made it illegal to advocate or to teach the desirability of overthrowing the United States Government. The relevant part of the Smith Act states:

Whoever, with intent to cause the overthrow or destruction of any such government, prints, publishes, edits, issues, circulates, sells, distributes, or publicly displays any written or printed matter advocating, advising, or teaching the duty, necessity, desirability, or propriety of overthrowing or destroying any government in the United States by force or violence, or attempts to do so; or Whoever organizes or helps or attempts to organize any society, group, or assembly of persons who teach, advocate, or encourage the overthrow or destruction of any such government by force or violence; or becomes or is a member of, or affiliates with, any such society, group, or assembly of persons, knowing the purposes thereof — Shall be fined under this title or imprisoned not more than twenty years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction.

The Smith Act was used to indict and convict a number of leaders of the Communist Party, but such convictions ended in 1957 when the Supreme Court in a ruling in *Yates v United States* distinguished between advocacy of an idea and the teaching of that idea as a concept.

When Joe Klein read from his napkin that sedition is a threat against “the authority of the state,” author Thomas DiLorenzo asks “Authority to do what?” If the original design of the Constitution has been thwarted, abrogated, twisted, and ignored so that the federal government can do *anything it pleases*, is that authority legitimate? Says [DiLorenzo](#):

It is the Washington establishment, which includes its media lapdogs like Joe Klein, that is guilty of sedition. The legitimate “authority” of the state is spelled out in the U.S. Constitution. It is the Washington establishment that has abandoned that legitimate authority and granted to itself essentially unlimited powers. Therefore, there can be nothing more patriotic and “American” than *opposing everything the central state proposes doing* that would expand its scope and powers in any way. [emphasis in the original]

He then reminds his readers what the Declaration of Independence said about unlimited government:



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“That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government...”

And so, what is the proper adjective to use to describe those in the kept media who raise the spectre of sedition on the part of patriots and Constitutionalists? The proper word is: *seditionist!*

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