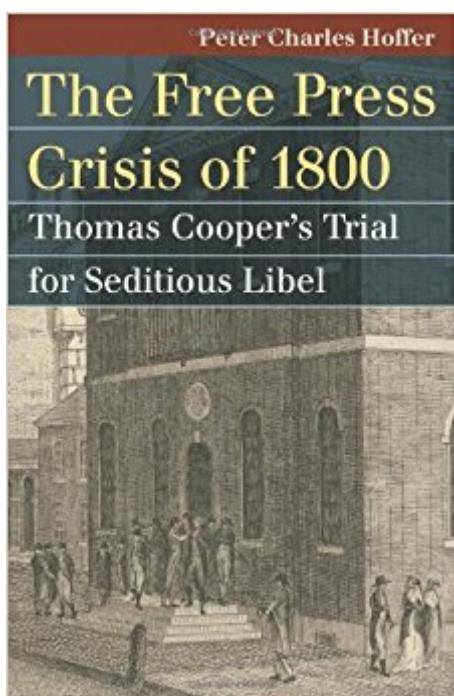


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The Free Press Crisis Of 1800: Thomas Cooper's Trial For Seditious Libel (Landmark Law Cases & American Society)



Synopsis

The far-reaching Sedition Act of 1798 was introduced by Federalists to suppress Republican support of French revolutionaries and imposed fines and imprisonment "if any person shall write, print, utter or publish . . . scandalous and malicious writing or writings against the government of the United States." Such a broadly and loosely defined offense challenged the freedom of the American press and gave the government the power to drag offending newspaper editors into court. The trial of Thomas Cooper in particular became an important showcase for debating the dangers and limits of the new law, one with great implications for both the new republic and federal constitutional law. Cooper's trial has now been rescued from long neglect and illuminated by Peter Charles Hoffer, one of our nation's preeminent legal historians. While most modern students of the Sedition Act regard it as an extreme measure motivated by partisan malice, Hoffer offers a much more nuanced view that weighs all the arguments and fairly considers the position of each side in historical and legal context. Hoffer sets the stage by revisiting both the much better known 1735 trial of Peter Zenger and the subsequent fashioning of the First Amendment during the first meeting of the U.S. Congress. He then describes the rise of political factions in the early republic, congressional debate over the Sedition Act, and Thomas Jefferson's and James Madison's Kentucky and Virginia Resolves. After a close reading of Cooper's allegedly seditious writings, Hoffer brings the trial record to life, capturing prosecution and defense strategies, including Cooper's attempt to subpoena President Adams and Federalist trial judge Samuel Chase's management of the prosecution from the bench. Long after the Federalists had departed the scene, echoes of the free-press crisis continued to roil American politics-reappearing in the debates over antislavery petitions, the suppression of dissent during the Civil War and two world wars, and most recently in the trials of suspected terrorists. Hoffer's book is an authoritative review of this landmark case and a vital touchstone for anyone concerned about the role of government and the place of dissent in times of national emergency.

Book Information

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Customer Reviews

"This little-known story is written with authority and would be an appropriate volume for students of history interested in press freedom, courses relating to legal history, and law school courses." "Journalism History" Hoffer closes with the warning that "the liberties we cherish are not always proof against power and partisanship" and the admonition that this "lesson must be taught to each generation of Americans, especially those who apply and interpret our laws." "Surely, this book will help us accomplish that task." "Law and Politics Book Review" The Alien and Sedition Acts, passed during the presidency of John Adams, are both a well-known and underexplored episode in US history. In this engaging book, Hoffer fills in the details of the legislative debates over limiting the "arbitrary" press of the founding era and explains how the notorious new laws were applied by Federalist Party officials against their political opponents. An impressive addition to the invaluable "Landmark Cases" series from the University Press of Kansas, Hoffer's book makes a lively contribution to readers' understanding of the roots of contemporary ideas about freedom of the press. "Choice" Hoffer recounts bundles of history with scholarly skill, summarily citing some 100 major primary and secondary sources dating from 1777 to 2011. And he does all this with nuanced conciseness as he parades the notables of the history of American press freedom onto the stage of his very readable narrative including the likes of Benjamin Bache, Andrew Hamilton, Matthew Lyon, Albert Gallatin, Thomas Cooper, Thomas Jefferson, and James Madison. It is quite an achievement, one that makes the book particularly attractive for use in college classes and law-school courses. . . . an extraordinary book. "First Amendment Center" A terrific piece of work by one of our very best historians. Written with verve and authority, it provides a masterful account of a little-known story with powerful implications for the subsequent history of free speech. "Peter S. Onuf, author of Jefferson's Empire: The Language of American Nationhood" A fast-paced, brilliant, readable book that takes on one of the most important problems in republican government: when is opposition thought and dissenting rhetoric so dangerous that fundamental liberties need to be surrendered to ensure the security of

all? Hoffer brings fresh insight to bear on this classic dilemma."--Douglas Bradburn, author of *The Citizenship Revolution: Politics and the Making of the American Union*

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