

The U.S. Government: James Madison saw need for freedom of the press

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James Madison didn't see the need to protect individual freedoms when he helped write the Constitution in 1787 but later agreed to add a Bill of Rights. Photo from: National Gallery of Art.

The Founding Fathers established the United States of America. They led the Revolutionary War against Great Britain and set up a government after winning independence. When you think of Founding Fathers, you may think of George Washington and Thomas Jefferson. There's another Founding Father who is just as important, though. He just isn't as well known.

His name is James Madison. He wrote the Bill of Rights. That is the first 10 amendments to the U.S. Constitution. The amendments protect certain freedoms of U.S. citizens.

One part of Madison's legacy is a free press.

A British Crime To Criticize Government

Under British rule, it was a crime for newspapers to criticize the government. Newspapers were not allowed to say negative things about the king. It didn't matter if what they said was true.

Even before Madison's time, American laws had started to change. In 1735, a New York newspaper owner was put on trial for publishing a story that criticized the governor of New York. He was found not guilty. What he printed was true. So the judge ruled that he had not committed a crime.

"That's probably where the idea of free press was born," said Lata Nott. She runs the First Amendment Center at the Newseum Institute in Washington, D.C. This center is dedicated to the study of the First Amendment.

If you say something true, you shouldn't be charged with a crime, Nott explained. That is part of what the First Amendment promises.

Thought Put Into How Freedoms Would Be Guaranteed

The American colonists thought a lot about about freedoms in the late 1700s. They were separating from Great Britain during these years. Jefferson wrote the Declaration of Independence in 1776. Then, in 1787, Madison helped write the U.S. Constitution. At the time, he didn't think a bill of rights was necessary. He thought the three branches of government was all the country needed, Nott explained.

The three branches are executive, legislative and judicial. They provide a system of checks and balances. No person or group of people has total power in the government. Each branch oversees another branch. Madison thought these checks and balances were enough to protect personal freedoms.

Not everyone agreed. Some lawmakers felt more specific protections were needed. So Madison agreed to write the amendments that became the Bill of Rights.

The Sedition Act In 1798

It didn't take long for some lawmakers to decide they didn't like a free press very much. Now the press could be critical of lawmakers. In 1798, Congress passed the Sedition Act. The law made it a crime to print negative articles against the government. It also said that people could not criticize the president.

Many newspaper editors were put in jail as a result. A member of Congress was arrested, too. Representative Matthew Lyon wrote that President John Adams had an unlimited "thirst" for silly displays of power. Stating this opinion went against the Sedition Act.

"People were being thrown in jail for expressing opinions," Nott said.

Madison Felt More Strongly

The law ended when Adams left office in 1801. But the way it had challenged freedom of the press had an effect on Madison. It led him to feel more strongly about the importance of this freedom, said Hilarie Hicks. She is a researcher at Montpelier, Madison's home in Virginia.

As far as we know, Madison never changed his mind about a free press, even when he served as president himself. He was president for two terms. After, he wrote letter to a lawmaker from Kentucky. People who want to govern themselves must arm themselves with power which knowledge gives, he wrote. Madison knew that knowledge was power. He also knew that a free press helps share and spread knowledge.



Quiz

- 1 Read the summary below. Choose the answer that BEST fits into the blank to complete the summary.
- James Madison was one of the Founding Fathers. _____ The Sedition Act of 1798 showed Madison the importance of a free press.
- (A) He lived in Virginia and wrote newspaper articles about the government in Great Britain.
 - (B) He is famous for writing the Bill of Rights, which guarantees freedom of the press.
 - (C) He wrote a bill about the three branches of government in the United States.
 - (D) He thought that congress should not prevent people from belonging to a religion.
- 2 Which BEST describes the structure used in the section "Madison Felt More Strongly"?
- (A) question and answer
 - (B) past and present
 - (C) cause and effect
 - (D) compare and contrast
- 3 Which section from the article helps the reader understand WHY Madison did not think the Bill of Rights was needed at first?
- (A) "A British Crime To Criticize Government"
 - (B) "Thought Put Into How Freedoms Would Be Guaranteed"
 - (C) "First Amendment Rights"
 - (D) "The Sedition Act In 1798"
- 4 Read the section "A British Crime To Criticize Government."
- Select the paragraph that describes where the idea got started that people should not be punished for saying the truth.