

# Kansas-Nebraska Act: The Law that Ripped America in Two

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A painting of John Brown and the anti-slavery movement in Kansas. Attacks on pro-slavery residents were led by Brown in Lawrence, Kansas. Photo from Wikimedia

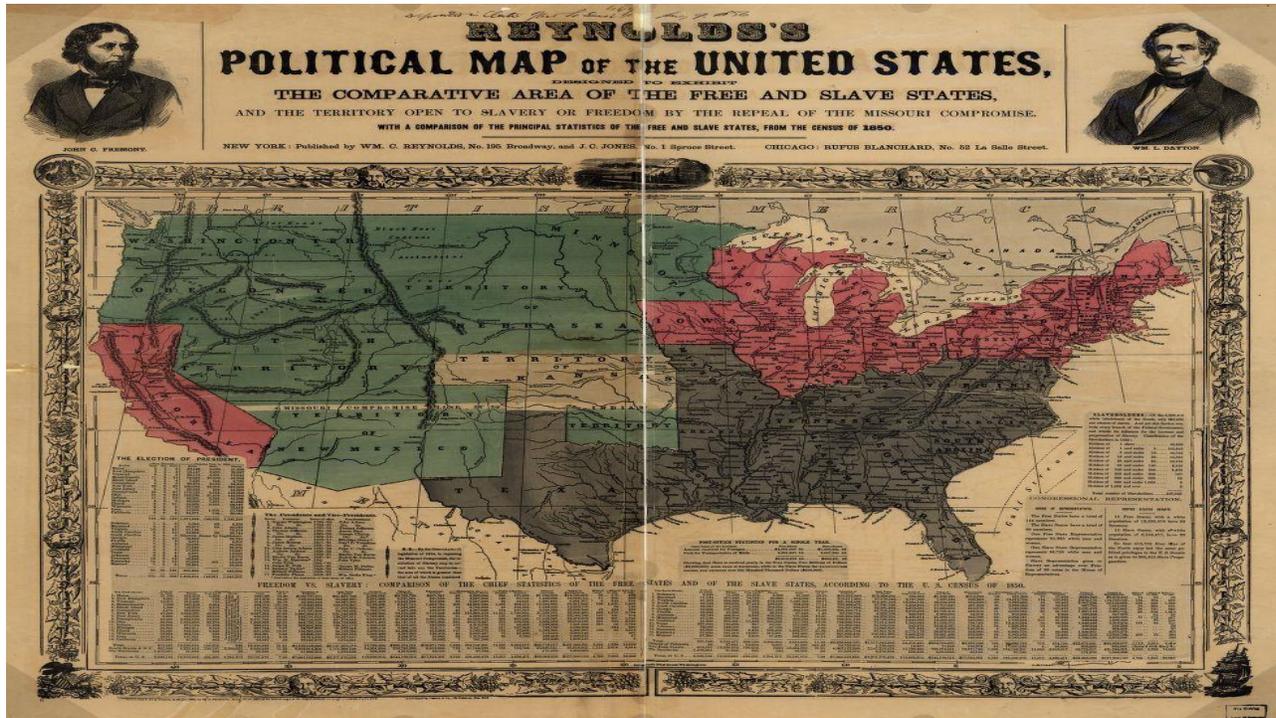
On May 24, 1856, anti-slavery crusader John Brown rode into the Pottawatomie Valley in the new territory of Kansas. Brown was intent on sending a message to his pro-slavery neighbors. With him were seven men, including four of his sons. An hour before midnight, Brown came to the cabin of a Tennessee emigrant named James Doyle and shot him dead. After butchering two of Doyle's sons with broadswords, the party moved on to kill two other men.

The five pro-slavery settlers were not merely casualties of Brown's bloody-mindedness. In some ways, they were also victims of a law described by historians William and Bruce Catton as possibly "the most fateful single piece of legislation in American history."

## Law repeals Missouri Compromise

Ironically, the Kansas-Nebraska Act, passed by Congress in 1854, was meant to quiet the furious national argument over slavery. It gave the new Western territories the right to decide on their own whether to accept the practice. Yet by repealing the Missouri

Compromise of 1820, which had outlawed slavery everywhere in the Louisiana Purchase north of Missouri's southern border, the new law inflamed the emotions it was intended to calm. In the end, it helped wrench the country apart.



This political map of the United States shows the area of the free and slave states and the territory open to slavery or freedom by the repeal of the Missouri Compromise.

Photo from Library of Congress. [click to enlarge]

The author of the bill was Democratic Senator Stephen A. Douglas of Illinois. Douglas was mildly opposed to slavery in principle, but he largely regarded the issue as a dangerous distraction. America's destiny, in his view, was to extend the United States from the Atlantic to the Pacific, and arguments over whether new Western territories should permit slavery only got in the way of that goal. Douglas saw his bill as a way of making peace between pro-slavery Southern states and anti-slavery Northern ones.

Early in 1854, Douglas asked Congress to approve the establishment of the Nebraska Territory in the vast wilderness west of Missouri and Iowa. Douglas had sought such approval before, but he had been unable to win sufficient votes due to the resistance of Southern congressmen.

## **Territory stays open to slavery**

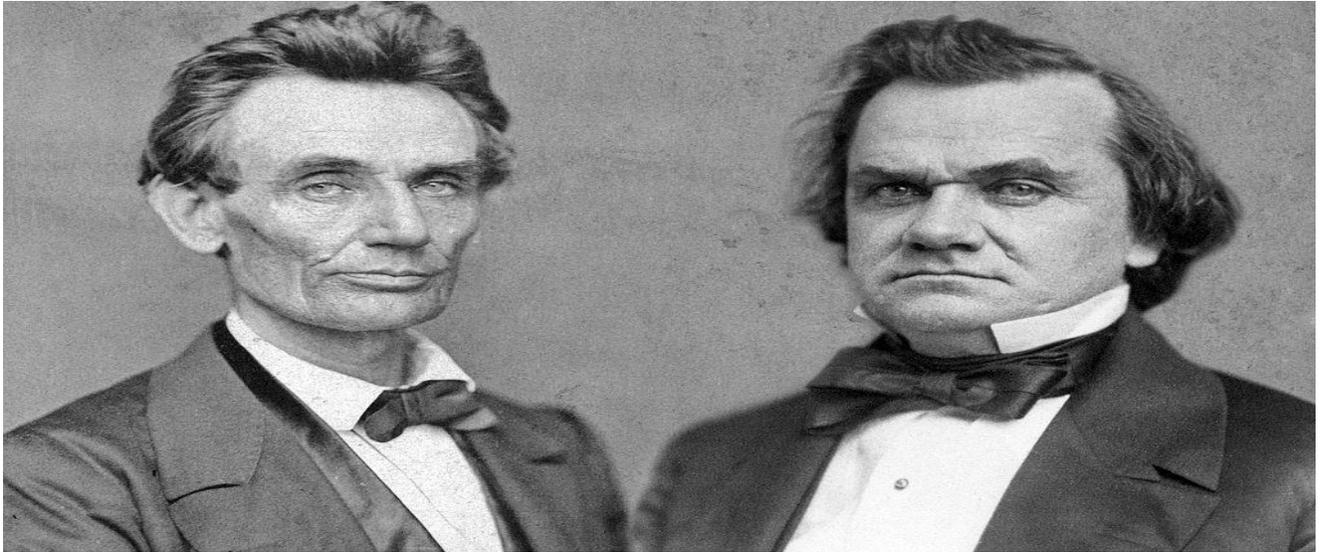
For Southerners, the problem was the Missouri Compromise. If Nebraska was made a territory with the compromise in place, it would be slave-free and slave-state Missouri would be bordered on three sides by free states and territories. Missouri's influential — and strongly pro-slavery — senator, David Atchison, was deeply opposed to the idea, as were many other Southerner politicians. Atchison wanted Nebraska opened to slavery, and vowed to see it “sink in hell” if it were not.

To win Southern support, Douglas agreed to a repeal of the Missouri Compromise. The bill he then introduced to Congress — which now called for the division of Nebraska into two territories, one of them Kansas — was widely condemned by those opposed to slavery. Many Northerners saw the Missouri Compromise as an important step toward the eventual phasing out of slavery, and for them, the Kansas-Nebraska bill was a terrible betrayal.

Douglas saw the Kansas-Nebraska bill as a way to make peace between the South and North, but the reverse turned out to be true. The South was determined to have Kansas become the 16th slave state, and the North proved equally determined to keep Kansas free.

## **Illegal Kansas vote favors slavery**

Northern anti-slavery settlers were relocated to Kansas to tilt the upcoming vote, while pro-slavery Missourians saw this migration as a threat of invasion. Defending themselves against what they saw as Northern “Yankee” fanatics, thousands of Missourians led by Senator Atchison himself crossed the border into Kansas in March 1855. Once there, they illegally elected a pro-slavery territorial legislature. In response, the anti-slavery Free-Soilers, as they were called, set up their own shadow government.



Political rivals Abraham Lincoln (left) and Stephen Douglas faced off in heated debates in 1858 during the Illinois state election. Photo from Wikimedia. [click to enlarge]

Soon, Kansas was a powder keg awaiting a match. It found one in the shooting of Douglas County's pro-slavery sheriff, Samuel Jones, who was wounded by an unknown assailant while visiting the Free-Soil capital of Lawrence, Kansas. Soon afterward, a pro-slavery posse descended on Lawrence, and proceeded to sack the town.

Northerners were outraged, and among those who sprang into action was the fiery abolitionist John Brown. Indeed, Brown was on his way to help defend Lawrence when he learned he was too late. Only then did he and his men turn their attention to the unfortunate Doyles and their neighbors.

## **Congress rejects slavery in new state**

The reaction in Kansas to Brown's killing spree was savage. Pro-slavery settlers were furious and fearful, and soon there was a bloody outbreak of shootings and burnings directed at Free-Soilers.

The determination to make Kansas a slave state only grew stronger on the pro-slavery side, and the issue took on great importance for the South as a whole. "The admission of Kansas into the Union as a slave state is now a point of honor with the South," wrote

South Carolina congressman Preston Brooks in March 1856. “It is my deliberate conviction that the fate of the South is to be decided with the Kansas issue.”

When it finally came time to vote, Kansans were given a choice between a constitution with slavery and a constitution without it. However, the constitution without it contained a clause allowing slaveholders already in the territory to retain not only their slaves but the slaves’ offspring. Free-Soilers, seeing the choice as being not between slavery and its absence, but between some slavery and a great deal of it, refused to take part in the vote.

Ultimately, Congress decided not to accept the slave-state constitution submitted by Kansas, given that it could not represent the general will of all the states’ citizens. Eventually, those opposed to slavery outnumbered those who favored it, and on January 29, 1861, Kansas was admitted to the Union as a free state. However, the fight over slavery was far from settled, and indeed the Kansas-Nebraska Act had only managed to increase tensions between the North and South. A few months after Kansas achieved statehood, the Civil War broke out and the nation was torn in two.

## Kansas Nebraska Act Guided Reading Questions

1. Describe John Brown's actions on the night of May 24, 1856? What is John Brown's actions described as "bloody-mindedness"?
2. What is the Kansas Nebraska Act? What was its aim?