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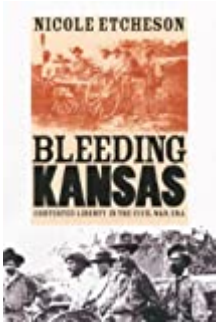

Nicole Etcheson. *Bleeding Kansas: Contested Liberty in the Civil War Era.* Lawrence: University Press of Kansas, 2004. xiv + 370 pp. $35.00 (cloth), ISBN 978-0-7006-1287-1.

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The Kansas Imbroglio

Writings on Kansas Territory have been perplexing, chiefly because historians cannot agree on the motivations of the pioneer Kansans. Some have portrayed the struggle in Kansas as a battle between good and evils forces, one hoping to foist slavery on the territory and the other to keep it free. Others contended that the slavery issue has been overemphasized, insisting most individual quarrels were over land claims. More recently, some historians have accentuated the issue of race, claiming that proslavery settlers would allow blacks, but only as a servile class, while antislavery people wished to establish a free white state that excluded blacks altogether.

Nicole Etcheson adds a slightly different twist to this historical controversy. In her view both pro- and antislavery groups were attempting to preserve their liberties as they perceived them. Those favoring slavery used the southern argument, insisting that the U.S. Constitution allowed them to take their "property" into frontier regions because the territories were held in common by all the states and citizens could not denied their "privileges and immunities." Emigrants from the northern states, in the first year of settlement, were not of one mind about slavery. Settlers sponsored by the New England Emigrant Aid Company, chiefly from New England and New York, ardently opposed the institution and many objected to discrimination against blacks. Those from the Old Northwest, many of whom came to improve their economic status, were less concerned about slavery but had little desire to live among a free black population. But the two groups united because of the tactics of the proslavery element. The proslavery Kansans gained control of the territorial legislature through fraudulent elections and passed laws supporting human bondage. This, to northern settlers, who were the majority of the population, was a violation of popular sovereignty, and they combined forces to protect and maintain the political liberties of whites.

From the founding of the Free-State Movement until the Marias des Cygnes Massacre and even beyond, Kansas underwent its own civil war as pro- and antislavery groups fought for political control in the territory. Etcheson describes in interesting detail the various events this struggle included: John Brown's slaughter and mutilation of southern settlers living along

Pottawatomie Creek, the Sack of Lawrence, and the Wakarusa War among others. She also gives full accounts of national affairs that related to events in Kansas: the passage of the Kansas-Nebraska Act, congressional reaction to the Topeka and Lecompton constitutions, the English Bill, as well as President Buchanan's relations with Kansas's territorial governors.

What were antislavery Kansans fighting for during these years? Etcheson explains it in the words of James H. Lane, one of the leaders of the Free-State Party. When a slave attempted to join Lane's forces in 1856, Lane ordered him back to his master, saying, "we [are] not fighting to free black men but to free white men" (p. 120). But by the eve of the Civil War, Etcheson continued, "Kansans had gradually broadened their definition of liberty to include more rights for blacks" (p. 229). "In the 1850s, free-state Kansas had struggled to make Kansas free for white settlers [but] in so doing, Kansas settlers increasingly asserted the right of blacks to their liberty" (p. 253).

These comments are in sharp contrast to previous historical conclusions about race relations in Civil War Kansas. For example, Etcheson lauds the Wyandotte Constitution, written in 1859, because it did not exclude blacks from residing in the new state. G. Raymond Gaeddart and Thomas C. Cox, however, have both claimed that the failure to exclude blacks was prompted more by political considerations than by liberal thought. Republicans in Congress had strongly objected to the 1857 Oregon constitution, which excluded blacks; hence, Wyandotte's delegates, hoping for full Republican approval, did not insert a similar clause in their own constitution. Both Gaeddart and Cox suggest that the debates over black residence and rights during the convention are a more accurate gauge of popular opinion than the document itself.[1] Cox also pointed out that by 1866, perhaps because of the growing black population, public schools in the larger towns had become segregated.[2]

The Wyandotte Constitution, according to Etcheson, limited voting privileges to white men but allowed the legislature to provide for a referendum on black suffrage, and it did so in 1867. The measure was easily defeated by a two-thirds majority, with only seven of the state's forty-four counties approving the measure. But according to other historians, the referendum was grudgingly agreed to, only after blacks had petitioned for it on numerous occasions. Each time they did so, the legislators denied the petitions arguing that such a contentious issue should not be considered during wartime or it was "premature [because] the people are not ready for the suffrage question." Only after Samuel Crawford's election to a second term as governor was assured, did he publicly speak in favor of the issue and persuade the lawmakers to submit a referendum.[3] Etcheson does not mention the fact that the Wyandotte Constitution limited militia service to "white male citizens," although she does give substantial detail on the military service of blacks during the war.[4]

It is true that Kansas did not exhibit the extreme racial prejudice of the Old Northwest nor were there attempts during the war to prevent blacks from coming into the state. Still, during the Civil War, black men, by law, could not vote or serve in the militia (although this restriction was ignored), and in larger towns their children attended segregated schools. Kansas lagged behind both Minnesota and Iowa, which gave black men the right to vote in 1868. Like black men throughout most of the nation, those in Kansas had to wait until the Fifteenth Amendment prohibited denying men the ballot because of their race. And even though the suffrage restriction was a dead letter after 1870, the Kansas Legislature did not remove the word "white" from the state constitution until 1888.

Etchson's thesis that free-state forces, in their quest to retain their own freedom, expanded black freedom will give many readers food for thought. In the final analysis, I suppose, acceptance of the idea will depend on each individual's definition of liberty and freedom.

Notes

[1]. G. Raymond Gaeddert, *The Birth of Kansas* (Lawrence: University of Kansas, 1940), pp. 53-57; and Thomas C. Cox, *Blacks in Topeka, Kansas, 1865-1915* (Baton Rouge: Louisiana State University Press, 1982), pp. 10-14.

[2]. Cox, p. 28.

[3]. Eugene H. Berwanger, *The West and Reconstruction* (Urbana: University of Illinois Press, 1981), pp. 163-173.

[4]. Etcheson also claimed the constitution gave black men the right to vote in school district elections (p. 205). It is possible that this privilege was granted in 1861 when the legislature extended it to women, but I cannot find such a statement in the constitution itself. For the Wyandotte Constitution see: `http://www.kshs.org/research/collections/documents/online/wyandotteconstitut` on.htm.

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