

## On the Crime Against Kansas

Charles Sumner (1811–74)

(1856)

Born in 1811, died in 1874; admitted to the Bar in 1834; an unsuccessful Free Soil candidate for Congress in 1848; elected United States Senator by Free Soil and Democratic votes in 1851; assaulted in the Senate by Preston Brooks in 1856; reelected Senator as a Republican in 1857, 1863 and 1869; advocated the Civil Rights Bill for negroes; joined the Liberal Republican party in 1872.

YOU <sup>1</sup> are now called to redress a great transgression. Seldom in the history of nations has such a question been presented. Tariffs, army bills, navy bills, land bills, are important, and justly occupy your care; but these all belong to the course of ordinary legislation. As means and instruments only, they are necessarily subordinate to the conservation of government itself. Grant them or deny them, in greater or less degree, and you will inflict no shock. The machinery of government will continue to move. The State will not cease to exist. Far otherwise is it with the eminent question now before you, involving, as it does, liberty in a broad territory, and also involving the peace of the whole country, with our good name in history for ever more.

Take down your map, sir, and you will find that the Territory of Kansas, more than any <sup>2</sup> other region, occupies the middle spot of North America, equally distant from the Atlantic on the east, and the Pacific on the west; from the frozen waters of Hudson's Bay on the north, and the tepid Gulf Stream on the south, constituting the precise Territorial center of the whole vast continent. To such advantages of situation, on the very highway between two oceans, are added a soil of unsurpassed richness, and a fascinating, undulating beauty of surface, with a health-giving climate, calculated to nurture a powerful and generous people, worthy to be a central pivot of American institutions. A few short months only have passed since this spacious and mediterranean country was open only to the savage who ran wild in its woods and prairies; and now it has already drawn to its bosom a population of freemen larger than Athens crowded within her historic gates, when her sons, under Miltiades, won liberty for mankind on the field of Marathon; more than Sparta contained when she ruled Greece, and sent forth her devoted children, quickened by a mother's benediction, to return with their shields, or on them; more than Rome gathered on her seven hills, when, under her kings, she commenced that sovereign sway, which afterward embraced the whole earth; more than London held, when, on the fields of Crecy and Agincourt, the English banner was carried victoriously over the chivalrous hosts of France.

Against this Territory, thus fortunate in position and population, a crime has been <sup>3</sup> committed, which is without example in the records of the past. Not in plundered provinces or in the cruelties of selfish governors will you find its parallel; and yet there is an ancient instance, which may show at least the path of justice. In the terrible inepeachment by which the great Roman orator has blasted through all time the name of

Verres, amid charges of robbery and sacrilege, the enormity which most aroused the indignant voice of his accuser, and which still stands forth with strongest distinctness, arresting the sympathetic indignation of all who read the story, is, that away in Sicily he had scourged a citizen of Rome—that the cry, “I am a Roman citizen,” had been interposed in vain against the lash of the tyrant governor. Other charges were that he had carried away productions of art, and that he had violated the sacred shrines. It was in the presence of the Roman Senate that this arraignment proceeded; in a temple of the Forum; amid crowds—such as no orator had ever before drawn together—thronging the porticos and colonnades, even clinging to the housetops and neighboring slopes—and under the anxious gaze of witnesses summoned from the scene of crime.

But an audience grander far—of higher dignity—of more various people, and of wider intelligence—the countless multitude of succeeding generations, in every land where eloquence has been studied, or where the Roman name has been recognized—has listened to the accusation, and throbbed with condemnation of the criminal. Sir, speaking in an age of light, and a land of constitutional liberty, where the safeguards of elections are justly placed among the highest triumphs of civilization, I fearlessly assert that the wrongs of much-abused Sicily, thus memorable in history, were small by the side of the wrongs of Kansas, where the very shrines of popular institutions, more sacred than any heathen altar, have been desecrated; where the ballot-box, more precious than any work, in ivory or marble, from the cunning hand of art, has been plundered; and where the cry, “I am an American citizen,” has been interposed in vain against outrage of every kind, even upon life itself. Are you against sacrilege? I present it for your execration. Are you against robbery? I hold it up to your scorn. Are you for the protection of American citizens? I show you how their dearest rights have been cloven down, while a tyrannical usurpation has sought to instal itself on their very necks!

But the wickedness which I now begin to expose is immeasurably aggravated by the motive which prompted it. Not in any common lust for power did this uncommon tragedy have its origin. It is the rape of a virgin Territory, compelling it to the hateful embrace of slavery; and it may be clearly traced to a depraved longing for a new slave State, the hideous offspring of such a crime, in the hope of adding to the power of slavery in the national government. Yes, sir, when the whole world, alike Christian and Turk, is rising up to condemn this wrong, and to make it a hissing to the nations, here in our Republic, *force*—ay, sir, *FORCE*—has been openly employed in compelling Kansas to this pollution, and all for the sake of political power. There is the simple fact which you will in vain attempt to deny, but which in itself presents an essential wickedness that makes other public crimes seem like public virtues.

But this enormity, vast beyond comparison, swells to dimensions of wickedness which the imagination toils in vain to grasp, when it is understood that for this purpose are hazarded the horrors of intestine feud not only in this distant Territory, but everywhere throughout the country. Already the muster has begun. The strife is no longer local but national. Even now, while I speak, portents hang on all the arches of the horizon threatening to darken the broad land which already yawns with the mutterings of civil war; the fury of the propagandists of slavery, and the calm determination of their opponents, are now diffused from the distant Territory over widespread communities, and the whole country, in all its extent—marshaling hostile divisions, and foreshadowing

a strife which, unless happily averted by the triumph of freedom, will become war—fratricidal, parricidal war—with an accumulated wickedness beyond the wickedness of any war in human annals, justly provoking the avenging judgment of providence and the avenging pen of history, and constituting a strife, in the language of the ancient writer, more than *foreign*, more than *social*, more than *civil*; but something compounded of all these strifes, and in itself more than war; *sed potius commune quoddam ex omnibus, et plus quam bellum*.

Such is the crime which you are to judge. But the criminal also must be dragged into day, that you may see and measure the power by which all this wrong is sustained. From no common source could it proceed. In its perpetration was needed a spirit of vaulting ambition which would hesitate at nothing; a hardihood of purpose which was insensible to the judgment of mankind; a madness for slavery which would disregard the Constitution, the laws, and all the great examples of our history; also a consciousness of power such as comes from the habit of power; a combination of energies found only in a hundred arms directed by a hundred eyes; a control of public opinion through venal pens and a prostituted Press; an ability to subsidize crowds in every vocation of life—the politician with his local importance, the lawyer with his subtle tongue, and even the authority of the judge on the bench; and a familiar use of men in places high and low, so that none, from the president to the lowest border postmaster, should decline to be its’ tool; all these things and more were needed, and they were found in the slave power of our Republic. There, sir, stands the criminal, all unmasked before you—heartless, grasping, and tyrannical—with an audacity beyond that of Verres, a subtlety beyond that of Machiavelli, a meanness beyond that of Bacon, and an ability beyond that of Hastings. Justice to Kansas can be secured only by the prostration of this influence; for this the power behind—greater than any president—which succors and sustains the crime. Nay, the proceedings I now arraign derive their fearful consequences only from this connection.

In now opening this great matter, I am not insensible to the austere demands of the occasion; but the dependence of the crime against Kansas upon the slave power is so peculiar and important, that I trust to be pardoned while I impress it with an illustration which to some may seem trivial. It is related in Northern mythology that the god of Force, visiting an enchanted region, was challenged by his royal entertainer to what seemed a humble feat of strength—merely, air, to lift a cat from the ground. The god smiled at the challenge, and calmly placing his hand under the belly of the animal with superhuman strength strove, while the back of the feline monster arched far upward, even beyond reach, and one paw actually forsook the earth, until at last the discomfited divinity desisted; but he was little surprised at his defeat when he learned that this creature, which seemed to be a cat and nothing more, was not merely a cat, but that it belonged to and was a part of the great Terrestrial Serpent, which, in its innumerable folds, encircled the whole globe. Even so the creature whose paws are now fastened upon Kansas, whatever it may seem to be, constitutes in reality a part of the slave power which, in its loathsome folds, is now coiled about the whole land. Thus do I expose the extent of the present contest, where we encounter not merely local resistance, but also the unconquered sustaining arm behind. But out of the vastness of the crime attempted, with all its woe and shame, I derive a well-founded assurance of a commensurate vastness of

effort against it and by the aroused masses of the country, determined not only to vindicate right against wrong, but to redeem the Republic from the thralldom of that oligarchy which prompts, directs, and concentrates the distant wrong.

Such is the crime, and such is the criminal, which it is my duty in this debate to expose, and, by the blessing of God, this duty shall be done completely to the end. <sup>9</sup>

The senator from South Carolina has read many books of chivalry, and believes himself a chivalrous knight with sentiments of honor and courage. Of course he has chosen a mistress to whom he has made his vows, and who, tho ugly to others, is always lovely to him; tho polluted in the sight of the world, is chaste in his sight—I mean the harlot, Slavery. For her, his tongue is always profuse in words. Let her be impeached in character, or any proposition made to shut her out from the extension of her wantonness, and no extravagance of manner or hardihood of assertion is then too great for this senator. The frenzy of Don Quixote in behalf of his wench, Dulcinea del Toboso, is all surpassed. The asserted rights of slavery, which shock equality of all kinds, are cloaked by a fantastic claim of equality. If the slave States can not enjoy what, in mockery of the great fathers of the Republic, he misnames equality under the Constitution—in other words, the full power in the national Territories to compel fellow men to unpaid toil, to separate husband and wife, and to sell little children at the auction block—then, sir, the chivalric senator will conduct the State of South Carolina out of the Union! Heroic knight! Exalted senator! A second Moses come for a second exodus! <sup>10</sup>

But not content with this poor menace, which we have been twice told was “measured,” the senator, in the unrestrained chivalry of his nature, has undertaken to apply opprobrious words to those who differ from him on this floor. He calls them “sectional and fanatical”; and opposition to the usurpation in Kansas he denounces as “an uncalculating fanaticism.” To be sure these charges lack all grace of originality, and all sentiment of truth; but the adventurous senator does not hesitate. He is the uncompromising, unblushing representative on this floor of a flagrant *sectionalism* which now domineers over the Republic, and yet with a ludicrous ignorance of his own position—unable to see himself as others see him—or with an effrontery which even his white head ought not to protect from rebuke, he applies to those here who resist his *sectionalism* the very epithet which designates himself. The men who strive to bring back the government to its original policy, when freedom and not slavery was sectional, he arraigns as *sectional*. This will not do. It involves too great a perversion of terms. I tell that senator that it is to himself and to the “organization” of which he is the “committed advocate,” that this epithet belongs. I now fasten it upon them. For myself, I care little for names; but since the question has been raised here, I affirm that the Republican party of the Union is in no just sense *sectional*, but, more than any other party, *national*; and that it now goes forth to dislodge from the high places of the government the tyrannical sectionalism of which the senator from South Carolina is one of the maddest zealots. <sup>11</sup>

With regret I come again upon the senator from South Carolina [Mr. Butler] who, omnipresent in this debate, overflowed with rage at the simple suggestion that Kansas had applied for admission as a State; and, with incoherent phrases, discharged the loose expectoration of his speech, now upon her representative, and then upon her people. There was no extravagance of the ancient parliamentary debate which he did not repeat; nor was there any possible deviation from truth which he did not make, with so much of <sup>12</sup>

passion, I am glad to add, as to save him from the suspicion of intentional aberration. But the senator touches nothing which he does not disfigure with error—sometimes of principle, sometimes of fact. He shows an incapacity of accuracy whether in stating the Constitution or in stating the law; whether in the details of statistics or the diversions of scholarship. He can not open his mouth but out there flies a blunder. Surely he ought to be familiar with the life of Franklin; and yet he referred to this household character, while acting as agent of our fathers in England, as above suspicion; and this was done that he might give point to a false contrast with the agent of Kansas—not knowing that, however they may differ in genius and fame, in this experience they are alike: that Franklin, when intrusted with the petition of Massachusetts Bay, was assaulted by a foul-mouthed speaker, where he could not be heard in defense, and denounced as a “thief,” even as the agent of Kansas has been assaulted on this floor and denounced as a “forger.” And let not the vanity of the senator be inspired by the parallel with the British statesman of that day; for it is only in hostility to freedom that any parallel can be recognized.

But it is against the people of Kansas that the sensibilities of the senator are particularly aroused. Coming, as he announces, “from a State”—ay, sir, from South Carolina—he turns with lordly disgust from this newly-formed community, which he will not recognize even as a “body politic.” Pray, sir, by what title does he indulge in this egotism? Has he read the history of “the State” which he represents? He can not surely have forgotten its shameful imbecility from slavery, confessed throughout the Revolution, followed by its more shameful assumptions for slavery since. He can not have forgotten its wretched persistence in the slave trade as the very apple of its eye, and the condition of its participation in the Union. He can not have forgotten its Constitution, which is Republican only in name, confirming power in the hands of the few, and founding the qualifications of its legislators on “a settled freehold estate and ten negroes.” 13

And yet the senator, to whom that “State” has in part committed the guardianship of its good name, instead of moving with backward treading steps, to cover its nakedness, rushes forward in the very ecstasy of madness, to expose it by provoking a comparison with Kansas. South Carolina is old; Kansas is young. South Carolina counts by centuries, where Kansas counts by years. But a beneficent example may be born in a day; and I venture to say that against the two centuries of the older “State” may be already set the two years of trial, evolving corresponding virtue, in the younger community. In the one is the long wail of slavery; in the other, the hymns of freedom. And if we glance at special achievements, it will be difficult to find anything in the history of South Carolina which presents so much of heroic spirit in an heroic cause as appears in that repulse of the Missouri invaders by the beleaguered town of Lawrence, where even the women gave their effective efforts to freedom. 14

The matrons of Rome, who poured their jewels into the Treasury for the public defense—the wives of Prussia who, with delicate fingers, clothed their defenders against French invasion—the mothers of our own Revolution, who sent forth their sons, covered with prayers and blessings, to combat for human rights, did nothing of self-sacrifice truer than did these women on this occasion. Were the whole history of South Carolina blotted out of existence from its very beginning down to the day of the last election of the senator to his present seat on this floor, civilization might lose—I do not say how little, 15

but surely less than it has already gained by the example of Kansas in its valiant struggle against oppression, and in the development of a new science of emigration. Already, in Lawrence alone, there are newspapers and schools, including a high school, and throughout this infant Territory there is more mature scholarship far, in proportion to its inhabitants, than in all South Carolina. Ah, sir, I tell the senator that Kansas, welcomed as a free State, will be a “ministering angel” to the Republic when South Carolina, in the cloak of darkness which she hugs, “lies howling.”

**Note 1.** Delivered in the United States Senate, May 15–20, 1856. It was this speech that led to the famous assault on Sumner by Preston S. Brooks. Sumner had severely arraigned Senator Butler of South Carolina, an uncle of Brooks, Brooks being himself a member of Congress from the same State. Two days after Sumner finished his speech, while he was sitting at his desk alone in the Senate-chamber, after the adjournment, Brooks entered and, after speaking a few words, struck Sumner violently on the head with a heavy stick. While Sumner was trying to extricate himself from his seat at the desk, Brooks repeated the blows until Sumner sank to the floor, bloody and senseless. Morefield Storey, one of Sumner’s biographers, says Brooks’s cane was “a heavy gutta-percha cane” and that the blows were continued “until the cane broke.” So great was the excitement produced in the country by this event, that many predicted that civil war would come at once. Sumner was long incapacitated for further work, remaining absent from the Senate nearly four years. An effort was made in the House to expel Brooks. He was censured, but the necessary two-thirds vote for expulsion could not be secured. Brooks then resigned (on July 14), but was reelected by his district in South Carolina, receiving all the votes cast except six, and on August 1 took his seat again.

The judgment of later times on Sumner’s speech as an attack on Butler, has not been favorable to Sumner. Rhodes says: “The vituperation was unworthy of him and his cause, and the allusion to Butler’s condition while speaking (Butler being absent from Washington at the time), ungenerous and pharisaical.” Seward read the speech before its delivery, and in vain advised a toning down of the offensive remarks. Abridged.” [\[back\]](#)