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Remarks on the anniversary of the Northwest Ordinance
July 13, 2022 at Muskingum Park - Marietta

A big thank you to organizers Jean Yost and Nancy Hollister for helping organize this event and making me feel so welcome here in Marietta, a place of many firsts.

Marietta was, of course, the first permanent settlement within the Northwest Territory. The people that came here before and after Rufus Putnam and a group of 48 Revolutionary War veterans first settled here... I'm not sure they were all together feeling very well... They were said to have "*Ohio Fever!*" And it was contagious. They called themselves – what else – the Ohio Company. This is where it all started and without them, none of us would be here today.

History records Ohio as the 17th state to enter the Union. While this is true, becoming a state in 1803, I am not the first to observe that Ohio was in some respects the first truly *American* state. You may recall that the first 13 states began as British colonies, becoming states modeled off their British antecedents. The next three states – Vermont, Kentucky and Tennessee – were spun off from them. It was not until Ohio was formed whole cloth out of the Northwest Territory that what we now

call the United States of America had a model for how the future America would take shape.

Let's go back to the 1780s for a moment. Consider this:

The United States had just eeked out a long war of attrition to gain its independence from Britain. It was truly a moment of "Now what?!" for the young nation and its leaders:

- The debt from the long war had bankrupted the states. They couldn't afford to pay their veterans.
- The Continental Congress and the Articles of Confederation were barely functioning with no real ability to tax or regulate trade.
- There was no executive branch of government, no judiciary and not even a uniform system of currency.
- There were not enough ships to send U.S. goods to other countries.
- Although folks had Ohio Fever," westward expansion was chaotic, disorganized. The existing states had conflicting claims to western lands and bickered over land claims and rights. Meanwhile, squatters in the western lands were another headache, creating unwanted conflicts with the Indian tribes who were living there and using these lands for hunting.

The Union was on the verge of collapse. Remember from your high school history class – the Shays’ Rebellion? Daniel Shays was a respected captain who served with distinction in the American Revolution at Saratoga and elsewhere. Incredibly, he served five years without pay. He led a rebellion of farmers in western Massachusetts in 1786-87 against the unjust collection of excessive taxes and seizure of property (when taxes went uncollected). Shays’ Rebellion was ultimately put down by militia privately funded by wealthy Massachusetts citizens. As a side note, one of the volunteers who helped put down Shays’ Rebellion was another veteran officer named Rufus Putnam. It was really the Shays’ Rebellion that exposed just how dangerously close the young country was to absolute ruin.

Indeed, *now what?!* The Northwest Territory, which would later become the states of Ohio, Indiana, Illinois, Michigan, Wisconsin and part of Minnesota – represented the future. At least for the colonists who had just endured a lengthy war against the most powerful nation on the earth. No one yet knew quite what to do with it once the United States had gained claim to it with the defeat of the British and the Treaty of Paris. Meanwhile, the Shays Rebellion had shaken things up to such an extent that the states agreed to send delegates to Philadelphia

in 1787 to consider changes to the Articles of Confederation, which everyone seemed to agree was too weak and ineffective for a growing nation beset by financial problems as far as the eye could see.

And so this was the setting for the spring and summer of 1787, 235 years ago. The Constitutional Convention delegates met privately in Philadelphia while the Continental Congress met openly at Federal Hall in New York, roughly 100 miles away. Although they met in private, we know a lot about the deliberations that occurred in Philadelphia and Americans these days hear much about whether or not something is constitutional or not. Meanwhile, at the very same time in New York, the Continental Congress accomplished what is believed to have been their crowning achievement in its short life – it passed without much debate or controversy, the Northwest Ordinance of 1787. For years there was uncertainty about who its authors were. Much of it is believed to have been borrowed from the Massachusetts Constitution of 1780. We know Manasseh Cutler was its chief agent and likely contributed to it in some combination with his neighbor in Ipswich, Massachusetts, Delegate Nathan Dane with input from others.

The Northwest Ordinance and the U.S. Constitution were not completely isolated, unrelated events. One depended on the other. The

passage of the Northwest Ordinance on this day – July 13, 1787 – sent a hopeful signal to the delegates in Philadelphia who very much needed to know that this experiment in democracy had hope, a future.

Ohioan Caleb Atwater described the Northwest Ordinance as “the Magna Carta of Ohio and all the states northwest of the Ohio river.” It’s really a pretty technical document that defines boundaries and makes order of the 300,000 square miles stretching from the Ohio River, hugging all but one of the Great Lakes up into modern-day Minnesota. The document described the process of how each state was to develop and form its own government that would be equal to the existing 16 states. That was important.

The most interesting and significant components of the Northwest Ordinance come later. The 3rd Article states that “Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and, in their property, rights, and liberty, they shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity, shall

from time to time be made for preventing wrongs being done to them, and for preserving peace and friendship with them.”

The 6th and final article was added late by Delegate Nathan Dane of Massachusetts. “There shall be neither slavery nor involuntary servitude in the said territory otherwise than in the punishment of crimes, whereof the party shall have been duly convicted...” Even Dane was surprised that this provision did not draw opposition from the southern delegates. It was amazing! All eight states voted unanimously to pass the Northwest Ordinance on July 13, 1787. The Ohio River thus became the dividing line between slavery and freedom.

One of the most knowledgeable historians I’ve ever known (when it comes to Ohio history) was University of Akron Distinguished Professor of History George Knepper who passed away in 2018. Knepper was asked some years ago to identify the 15 most significant events in Ohio history. Remember the **Now What** dilemma facing Americans in the 1780s? The top 3 items on George Knepper’s list come from the 1780s: 1) Land Ordinance of 1785 (Ohio’s Seven Ranges was the first place this rational pattern was applied; model for all other states, except Texas); 2) Northwest Ordinance of 1787 (blueprint for creating new states); and 3) Founding of Marietta in 1788 (Congress sold more than 1.5

million acres at bargain prices (\$1 million) to those Revolutionary War veterans, the Ohio Company of Associates from Massachusetts.

Prior to the Northwest Territory, the United States government did not own a single acre of land. States did, but not the federal government. We are standing on the first federal piece of property. Today, the U.S. government owns 620-650 million acres (close to 1 million square miles). The Northwest Territory in 1787 was about 1/3 of the United States at that time. The Northwest Ordinance allowed for a process for the first time to organize the land, establish local and state governments, even schools. It explicitly encouraged schools and prohibited slavery. It would serve as the model for future westward expansion. The Ordinance established the ideal of treating the Indians in good faith, preserving peace and friendship with them. We know that we fell way short on fulfilling that ideal, but I think it is significant that the explicit statement is there for all time.

The Northwest Ordinance is one of the most significant documents in American history. Yet it was designed to be of limited utility, its purpose fulfilled within a couple of generations. This is partially why few Americans seem to be aware of it, even our fellow Ohioans who are the most vested in its success. In fact, its very success ensured its own

demise in a certain way. The Northwest Ordinance was wildly successful! By the 1840s, around the time that Wisconsin was on its way to becoming a state, its usefulness had pretty much been extinguished.

Ohio was well on its way, as were other places west of here. Now you heard me say earlier that in many ways Ohio was the first truly American state. We weren't a British colony, but something wholly different. Our predecessors had *Ohio Fever*, as you may recall. Let me suggest this to you, my fellow Ohioans...

Think about the values of our young nation 200-some years ago. Virginians thought of themselves first as Virginians. South Carolinians, too. Southerners. New Englanders. Philadelphians. The values of those states were reflected in their governments and in their people. The values of Ohio, in contrast, were national. You've likely heard the phrase "as Ohio goes, so goes the nation." Ohio has been a national bellwether for all manner of things from national politics to food to the economic heartland. Can we trace this all the way back to 1787 and the Northwest Ordinance? You tell me...

OK. So we've established that the Northwest Ordinance is pretty important. Further, the founding of Marietta and Ohio being the first state to spring out of the Northwest Territory are also very important nationally. But we've also determined that few people seem to know about these things. If only we had some new and compelling way – some kind of national platform – to help share this kind of history with our fellow Ohioans and our fellow Americans. Well, I have an idea for you...

Our nation has a significant anniversary coming up in just four short years. This experiment in democracy we call the United States of America will celebrate its 250th anniversary on July 4, 2026. This is a star-spangled opportunity to share our history with others and to try to design the kind of future we want for the next 250 years.

At the national level, there is an America 250 Commission that has been underway for a couple of years. They know they cannot – and should not – try to have a commemoration this important centered just on Philadelphia or New York or Washington. This is truly national in scope. That's why Governor DeWine and the Ohio General Assembly have created the Ohio Commission for the U.S. Semiquincentennial. Let's call it America 250 for Ohio. I have the high honor of serving as the

Commission's executive director and to work closely with some of Ohio's finest who are serving on the Commission. Nancy Hollister, OBM Director Kimberly Murnieks – two Marietta natives. We also have two bipartisan co-chairs who work closely with me from Columbus. For those of you who were at this event last year, you heard from John Fleming, a longtime museum professional. He serves on the Commission, too.

All of us are charged with preparing Ohio to participate appropriately in the upcoming 250th anniversary celebration. I say "appropriately" because every state will be doing likewise. How they commemorate the founding of the United States in places like Massachusetts, Virginia, Pennsylvania, New York and on the East Coast will, of course, be different from how we do this in Ohio or Indiana, Colorado or other places west of here. For Ohio, it will be more of the spirit of '76 more than the actual events of 1776 or the Declaration of Independence.

I recently returned from a vacation out West. My family and I spent some time in Utah, Nevada, Arizona and Colorado. Seeing this natural landscape and the geology out West makes you think about the immensity of time itself. We listened to a National Park Ranger at Capitol Reef National Park describe the hundreds of millions of years it

took to develop those colorful mountains and the beautiful rock formations that litter the landscape. As best as we can tell from the evidence, human history in Ohio and most of North America only dates back about 14,000 years. That's barely a tick of the clock in the context of the biological history of this place we call Earth.

So this gives all of us some interesting perspective to consider when we think about the nation's upcoming 250th anniversary in 2026. Four years may sound like a long time to some, but friends we have a very short window to try to get some things done. Our 29-member Commission and I are going to need your help.

Shortly after I became the executive director of this commission, a friend told me that my job was really to make people care. She's right. Over the Independence Day weekend, I saw a Facebook meme that said celebrating July 4th was a lot like going to a birthday party for someone in hospice.

I think back to my own childhood and the nation's bicentennial in 1976. I remember being immersed in patriotic TV commercials, presidential trading cards, commemorative coins, red/white/blue fire hydrants, etc. One thing I was too young to appreciate at the time was that 1976 was

right on the heels of major cultural change. Civil rights, women's rights, Vietnam, Watergate and so much more. The nation needed something to help bring Americans together, even if just for a short time.

I think we are in a comparable time now as Americans. We need this time to come together. We must try. We're more polarized than any of us can remember in our lifetimes. No matter where you look or what you read, Americans are increasingly drifting apart, unable to comprehend how those other people could possibly believe in the things they believe in! The Ohio Commission for the U.S.

Semiquincentennial has specific responsibilities laid out in the Ohio Revised Code to prepare Ohio for the 250th. Specifically: to plan, encourage, develop, and coordinate the commemoration of the 250th anniversary of the founding of the United States and the impact of Ohioans on the nation's past, present, and future. We also have a report due to our state's leaders at the end of September.

But I will share with you that I think perhaps our biggest responsibility – our biggest indicator of success – is not something written into the Ohio Revised Code. It may be to simply give our fellow Ohioans compelling, meaningful reasons to care, to make fewer people consider our July 4th holiday comparable to celebrating someone's birthday in hospice care.

We will not be able to reach everyone. And I don't think we get there by forcing history or Ohio pride down people's throats. We offer an outstretched hand, not a clenched fist. Enough of the Us vs. Them!

Friends, this is our ***Now What?!*** moment. Let's catch some Ohio Fever and start telling more people why the Northwest Ordinance is relevant. Let's ask them if they know that the WP Snyder is one of just 76 things in the entire state of Ohio listed as a National Historic Landmark. There are also 76 state parks in Ohio. The Ohio River is loaded with historical significance. It's literally right here. We have Lake Erie to our north. We have a plethora of underground railroad sites in Ohio – more than anywhere. We are the birthplace of aviation. We have world-class symphonies in Ohio and an amazing arts community. We have several major sports teams, two of the best amusement parks in the United States. We have presidents, astronauts, covered bridges, important civil rights stories. We have Civil War generals, some of the richest farmland in the country, scientific breakthroughs happened here and even some really good music started right here in Ohio. Did you know that next year we expect to have the first-ever sites in Ohio inscribed on the World Heritage List? I'll bet a lot of you have never heard of the World Heritage List. Well, next year we anticipate having eight American Indian earthworks located at the Newark Earthworks in Licking County, Fort Ancient in Warren County and the Hopewell Culture National

Historical Park in Ross County added to the World Heritage List. These 2,000-year-old Indian earthworks – we call the nomination the Hopewell Ceremonial Earthworks – are just another way to demonstrate that what we have here in Ohio is pretty amazing and in this case, internationally significant. Stay tuned for that next summer if all goes well.

We must also acknowledge that we have some dark history, too, that we must learn from and not try to erase or pretend didn't happen. While slavery was forbidden north of the Ohio River, we wrote into law the Black Codes and racial discrimination. The redlining of communities and homes and suburban "white flight" helped produce segregated neighborhoods that persist even today. We forcibly removed the indigenous people who were here before us – the Shawnee, the Delaware, the Wyandotte, Miami and the Ojibwa and others. Much of our history is complicated and nuanced. We don't all come to history using the same lens. The way you think about what happened at Kent State on May 4, 1970, may be different from others, especially if you were there. The shutdown of the steel mills in Youngstown devastated that part of Ohio and western Pennsylvania for decades and is still very relevant to many thousands of people. We live with these realities and I think we should be OK to having a wide range of lived perspectives.

I feel like I have a responsibility to Ohio and Ohioans to engage in all of this, to help shine a light on Ohio's history so that we may learn from it and do better in the future. I desperately want more people to have an understanding of the Northwest Ordinance, the Ohio River, Manasseh Cutler, the Underground Railroad and Fort Laurens, the only Revolutionary War site located in Ohio (Tuscarawas County).

Friends, I have a confession that is not going to surprise you. I am a history nerd, although I prefer the term history enthusiast. I think of Ohio as a content-rich environment for history, culture and the performing arts. We have so much right here in our own backyard. We have about 1,800 historical markers across Ohio on just about every topic or Ohio history character you can imagine. Guess what... All of them were produced right here in Marietta at Sewah Studios. Ladies and gentlemen, I'm excited about these next four years as we create this runway leading up to 2026. I invite you to join me, join us.

We're just getting started. I promise you we will eventually have a great website and a cool logo and Marietta is going to be a very important part of this window of opportunity we have for America 250 for Ohio. We need you and I thank you all so much for taking the time to be here

today on the 235th anniversary of the Northwest Ordinance and to hear about America 250 for Ohio. It has been my high honor to be your guest here in Marietta where it all started for the great state of Ohio. Thank you for coming.