

The CIVIL SOCIETY TUTORIAL PROJECT

BUILD COLLABORATION

Character-Based Collaboration



www.forgeleadership.org

THE MAYFLOWER COMPACT

1620

“[We] solemnly and mutually in the Presence of God and one of another, covenant and combine ourselves together into a civil Body Politick, for our better Ordering and Preservation, and Furtherance of the Ends aforesaid....”

The CIVIL SOCIETY TUTORIAL PROJECT

We are devoted to serving servant-leaders and centers of excellence within higher education, business, government, and nonprofit organizations to accelerate the transference of the essential disciplines of civil society necessary to self-governing free people.

We are dedicated to delivering virtuous leadership professional development for local government, faith, education, service, business, and civic leaders to refamiliarize the next generation with essential leadership character ethics, unite leaders in a collaborative culture, and equip leaders to effectively enrich their communities together.

CHARACTER + COLLABORATION = COMMUNITY

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AN OPEN LETTER *to* FRUSTRATED COLLABORATORS

Collaboration—co-laboring with others for a common cause—is an old civic idea now gaining fresh attention because it is the only hope for civic leaders who are working earnestly to respond to cycles of growth, to address vexing social injustices, to improve shared stewardship of a common asset, or to bolster incentives for positive and healthy choices.

But collaboration is more than a casual combining of leaders’ names on a fresh letterhead to make education more excellent, jobs more plentiful, or compassion programs more transformational. Certainly, short-term cooperative efforts should and do occur among community leaders with a common interest in a common outcome. But this bond is quickly broken when members of such cooperatives, alliances, confederations, task forces, or coalitions fail to implement the essential principles of true collaboration.

Indeed, authentic collaboration rests upon a foundational premise that diverse participants agree or compact to. To *collaborate* is to *sacrificially build common ground around common character to reach a lofty common goal that no one could reach without the other*.

Without this character-dependent compact, all relationships, however productive in the short term, will lack the strength—or the character—to endure to their envisioned and most fruitful end. This is true whether one is building a marriage, team, organization, community, or nation.

Civil society and community-building presumes the presence of “character-rich collaborators,” leaders who compact or covenant with one another to sacrificially address a high-stakes issue or vision that no single leader, institution, or organization could accomplish on their own. To help spur the renewal of this true co-laboring spirit, we have established this unique learning resource for busy civic leaders.

This booklet, *Build Collaboration*, is part of our Civil Society Tutorial series. It presumes the reader is implementing the concepts found in *Build Character*. This series concludes with *Build Community*.

Authentic collaboration is indispensable to all leading citizens in our self-governing society. We hope you find this introductory framework for building collaboration compelling, and that you will strive to launch or renew true collaborations, having the character and competency to benefit your entire community today.

Join Us

THE CASE *for* TRUE COLLABORATION *in* AMERICAN CIVIL SOCIETY

The case for character-rich collaboration in America dates back to the Mayflower Compact (see Appendix 1 on page 18 for the full text), which was the first self-initiated civic agreement among self-governing people in history. It provides a compelling vision and outline of how “the people” agreed to sacrificially collaborate to build “civil society.” In sober tribute, the Declaration of Independence, which followed some 150 years later, provides a testimony of what occurs when leaders disregard or trample the Mayflower ideals.

Indeed, upon a careful reading of the Declaration, we find that the document is a multicount leadership-character indictment brought against King George III by the founding signers. As evidence, the founders cited more than 20 violations of conscientious character to morally reject and then publicly rebel against the most powerful sovereign king of that era. In so doing, they launched the greatest self-governing collaborative experiment in world history.

The founders, who were thoughtful historians, no doubt reflected on the principles of the Mayflower Compact, which memorialized the credo that a common ground of common character builds the sacrificing, co-laboring spirit so necessary to reach common and lofty goals. Influenced by these and other emerging ideals of civil society, the struggle for liberty forged a unique American bias for collaboration, a spirit guided by three essential tenets.

These three tenets constitute what we might call “The Essentials of True Collaboration.” We’ll treat them in short form first, then elaborate.

Tenet #1: HIGH CHARACTER COLLABORATION BEGINS WITH THE ESSENTIAL AGREEMENT THAT ALL PARTICIPANTS WILL STRIVE TOWARD HIGH CHARACTER.

The Mayflower Compact was made possible by the willingness of a group of people to submit themselves to the principles of a document. Those principles convicted their consciences and built the character necessary to forge a civil society that prized wisdom, integrity, justice, compassion, and honesty. Trust was thus established, and laboring together became possible—and even pleasurable.

Tenet #2: MUTUAL HIGH STAKES COLLABORATION CREATES ORDER AROUND A MUTUAL HIGH-STAKES ISSUE OR VISION, IN WHICH NO SINGLE PERSON OR ENTITY CAN ACHIEVE THE NOBLE AND CLEAR MISSION ENVISIONED.

The signers of the Compact had no other countrymen, no shelter, and the prospect of a grim winter to create a high-stakes situation. Their excitement of the vision to launch a civil society was tempered by the imminent threat to that vision.

Tenet #3: SACRIFICIAL LEADERSHIP COLLABORATION IS INITIATED AND THEN SUSTAINED BY EXAMPLE-SETTING, VISIONARY, SACRIFICIAL LEADERS WHO ARE WILLING TO RISK THEIR COMFORT AND REPUTATION.

After helping the group envision a “preferred future together,” the signers deferred their comfort and egos to jointly set the example of sacrifice for their co-laborers to follow. They moved toward the future, armed with collective courage that focused on their mission.

THE ESSENTIALS *of* TRUE COLLABORATION

Tenet #1: HIGH CHARACTER*

COLLABORATION BEGINS WITH THE ESSENTIAL AGREEMENT THAT ALL PARTICIPANTS WILL STRIVE TOWARD HIGH CHARACTER.

WHAT ARE CHARACTER ETHICS?

Character ethics are self-evident, conscience-affirming truths that—when acted on consistently—produce preferred behaviors, such as compassionate acts, honest answers, and just decisions. These preferred behaviors create order and build trust.

These are the twin indexes that best predict leadership success among presidents, pastors, parents, and principals.

WHY IS CHARACTER BUILDING ESSENTIAL *to* EVERY LEADER'S ROLE?

Character building is a leader's most important role, because character—rather than hard or soft competencies, such as visioning or communications—is the cornerstone of functional relationships and teams. High character is what unites or combines high competencies to deliver mission force.

No matter how competent a leader may appear, if they devalue, ignore, or fail to demand character—first in themselves and then in others—then they will experience low character or dysfunctional relationships.

When this happens, the leader is forced to expend more limited leadership capital to deal with the results of low character: conflict interventions, ruptured teams, lawsuits, broken relationships, and heartache. And when the leader's progress toward delivering the mission is chronically distracted, the leader has failed.

**Refer to Build Character guidebook in this series.*

HOW DO WE MAKE THE CASE *for* CHARACTER BUILDING?

It's American.

The Declaration of Independence's content is in large part a profound indictment of the British King George's character, not his competence. The signers of the Declaration elevate this lack of character as their moral defense for the revolution by concluding, "A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people."

It's our responsibility.

Most followers (workers, constituents, and students) willingly entrust themselves to leaders. Accepting this trust morally and often legally compels leaders to create and sustain a nurturing (order-creating, trust-building), character-rich environment.

It's our right.

Leaders have the right to cultivate, and expect others to cultivate, high-character environments. Excellence is fueled first by the example of the leader and then by empowering others, such as giving problem-solving authority to those closest to the challenge. American leaders who neglect intentional character building are taking a great risk, as well as missing their calling.

It's moral.

Right and wrong are fixtures of human existence, transcending eons, borders, and faiths. They are written on mankind's heart, because they preceded him, and they will outlast him. The slightest suggestion that people ought to treat one another a certain way—in business, in government, or at home—rests on the premise that humans can and should discern right from wrong and order their actions by them: in other words, that they should pursue high character.

THE ESSENTIALS *of* TRUE COLLABORATION

Tenet #2: MUTUAL HIGH STAKES **COLLABORATION CREATES ORDER AROUND A MUTUAL HIGH-STAKES ISSUE OR VISION, IN WHICH NO SINGLE PERSON OR ENTITY CAN ACHIEVE THE NOBLE AND CLEAR MISSION ENVISIONED.**

In his authoritative text on collaboration, *Working Across Boundaries*, Russell M. Linden, a management educator with more than twenty years of experience helping governments, businesses, and non-profit organizations, states that members of collaborations share a sense of “high stakes” in collaborative ventures that produce positive results over time.

He notes the tendency of Americans to work together in remarkable ways when faced with a clear crisis or unmistakable challenge. The difficulty, according to Linden, is to gain the same sense of urgency or higher purpose when there’s no emergency and the times “seem more ordinary than extraordinary.”

Often, it takes a direct threat like the loss of our jobs, the loss of customers, the loss of funding, a common enemy, or some other looming difficulty or potentially embarrassing failure to move us beyond ourselves to the necessity of co-laboring with others in our community.

When it comes to character-based collaboration, however, the participants will certainly need to develop a strong sense of “higher purpose,” as well as the patience to see things through over many years while they anticipate the results or harvest.

Linden illustrates this point with a story once told by President Kennedy about a French general who wanted a certain tree planted in his garden:

“The gardener told the general, ‘This tree grows very slowly. It won’t mature for a hundred years.’

“‘Then there’s no time to lose,’ the general responded. ‘Plant it this afternoon.’”

“Higher purpose” has a lofty connotation. Indeed, Linden notes the findings of researcher Warren Bennis, who studied the collaborative Manhattan Project group, which developed the atomic bomb that ended World War II, found that:

“People in great groups often have the zeal of converts. People know going in that they will be expected to make sacrifices, but they also know they are doing something monumental, something worthy of their best selves. Their clear, collective purpose makes everything they do seem meaningful and valuable.”

A sense of high stakes can occur for a variety of reasons. The resulting collaboration to address the issue can be deeply gratifying, even exhilarating.

This gratifying spirit is summed up by Linden aptly when he observes: “When partners believe that their work aims to change the world (even in some small way), and when they communicate that belief to others, their words and actions often instill the high stakes that help people cross boundaries and find common ground.”

THE ESSENTIALS *of* TRUE COLLABORATION

Tenet #3: SACRIFICIAL LEADERSHIP COLLABORATION IS INITIATED AND THEN SUSTAINED BY EXAMPLE-SETTING, VISIONARY, SACRIFICIAL LEADERS WHO ARE WILLING TO RISK THEIR COMFORT AND REPUTATION.

We look to the additional insight of researcher Russell M. Linden to learn his observation of certain sacrificial leadership qualities commonly shared by effective collaborative leaders. Linden cites those commonalities:

- **Resoluteness**—not easily deterred, dismissed, or discouraged
- **Modesty**—possesses a realistic sense of self limits
- **Inclusiveness**—uses “pull” much more than “push” in relationships
- **Visionary mindset**—sees connections to something larger

In short, the kind of convictions that inspire others and even have the power to bring diverse people together create a paradox. Indeed, the collaborative leader tends to be both: (1) patient, but determined, (2) ambitious, but humble, (3) motivational, but not manipulative, and (4) able to see both the “now” and the “not yet.”

IDENTIFYING “THREE-TENET LEADERS”

Reflection: Assuming I have identified our community’s high-stakes issue(s) accurately (see pages 15–16); which six to eight leaders, with whom I have relationships, could I invite into a “collaboration conversation” with me, so we can determine, together, how to move decisively forward? (Consider a blend of leaders in your business, government, faith, education, media, and service sectors.) What resources would be helpful to support the discussion and process?

LEADERS

1 _____

2 _____

3 _____

4 _____

5 _____

6 _____

7 _____

8 _____

Resource/Agenda Ideas

COLLABORATIVE LEADERSHIP *in ACTION*

SETTING LEADER EXPECTATIONS

How leaders draw members into communities of character and competency is as important as what those leaders are like as individuals. A summary of such objectives and tasks, derived from a number of recent research projects, is presented below.

The numerical order in this case is also a logical sequence for creating meaningful collaborations, first within a department or institution and then reaching outward to other entities. All four objectives and their corresponding tasks, of course, must be vigilantly pursued in deliberate fashion.

1. COMMUNICATING *the* MISSION

- Articulate the common interest in solving a common challenge.
- Communicate clearly, persuasively, and frequently enough, not only to keep everyone on track within, but also to draw others to the mission from without.
- Encourage excellence and uplift morale as much from one's deeds as from one's words.
- Connect local and particular interests to larger national or human concerns; show the relevance of what the group stands for in relation to the greater welfare of society.

2. BUILDING RELATIONSHIPS

- Invest time in getting to know partners and facilitate their relations with one another.
- Make the rapport-building process enjoyable and satisfying, having a merit on its own whether something quantifiable gets done or not.
- Make a special effort to include individuals whose backgrounds and life experiences may differ from the majority, without sacrificing relevance.
- Make it clear, by both word and deed, that character matters as much as competency, and that people matter more than products.

3. DEVELOPING THE GIFTS, TALENTS, AND ABILITIES *of* OTHERS

- Observe the capabilities of one's partners and build on those strengths instead of focusing on deficiencies.
- Mentor and bring out the best in people.
- Respect the time and various interests of others while trying to maximize the resources they may need for particular projects.
- Downplay matters of power, position, and status in order to facilitate the ideas, creativity, and contributions of more reserved persons or those occupying lower ranks.
- Identify those with leadership potential and assist them in their maturation.
- Praise, encourage, and/or reward generously for character and competency manifestations.

4. CREATING *a* COMMUNAL IDENTITY

- Speak and act in terms of "we" instead of "I," inculcating a sense of communal identity and responsibility to go along with individual dignity.
- Assume the goodwill of partners and be quick to share credit for successes; make sure the responsibility for failure, though touching all, rests more with the leaders than the members.
- Show enough flexibility to compromise on matters that violate no principle of moral character, since collaborative decisions will not always fit the wishes of every member.
- Appraise results and the extent of the group's influence with an eye toward consistency and progress in the common mission.
- Help members, with collegial respect, to attend to corrective measures where needed, and celebrate restoration of relationships.

COLLABORATIVE LEADERSHIP *in ACTION*

SETTING MEMBER EXPECTATIONS

The qualities of members of successful collaborations are as important as those of leaders. The following objectives and tasks are adapted from the Wilder Research Center, a program of the Amherst H. Wilder Foundation in Saint Paul, Minnesota, in *Collaboration: What Makes It Work*, researched and written by Paul Mattessich and Barbara R. Monsey, c. 1992.

1. MEMBERS OFFER MUTUAL RESPECT, UNDERSTANDING, *and TRUST*

- Respect one another and the various organizations represented in the group.
- Take the time to learn about one another.
- Be honest and open about personal intentions and agendas.
- Value and make use of any connections between members existing outside of the collaborative venture at hand.

2. MEMBERS REPRESENT A HELPFUL CROSS-SECTION *of PARTICIPANTS*

- Carefully consider who needs to be involved in the collaborative venture.
- Identify key people whose work and influences are crucial to the relevant issues and invite them to participate.
- From time to time, judge whether new individuals or groups should be invited to participate.
- Make sure an orientation or education plan for newcomers is in place.
- Make sure the number of collaborative members is not so many and their backgrounds so diverse as to make the group unmanageable.

3. MEMBERS SEE COLLABORATION *as* CONSISTENT WITH THEIR SELF-INTEREST

- Communicate the advantages for organizations, as well as for individuals, when they make collaboration a priority.
- Affirm the concept that “enlightened self-interest” is real and does not create inherent hostility to “others’ interest”; instead, it identifies common interests.
- Partners must authentically determine on their own that the benefits of collaboration far outweigh any sacrifices or costs of their involvement.

4. MEMBERS ARE ABLE *to* COMPROMISE WITHOUT VIOLATING THEIR CONSCIENCE

- Demonstrate patient and careful deliberation so as to avoid violating anyone’s conscience.
- Demonstrate sufficient freedom of judgment to work out acceptable agreements within the larger partnership.
- Demonstrate a willingness to defer to the wishes of others since many collaborative decisions will not fit the ideal preferences of every member.
- Demonstrate the ability to distinguish when to seek compromise and common ground and when not to.

A FRAMEWORK *for* ASSESSING YOUR HIGH-STAKES COLLABORATIVE OPPORTUNITY

Define Your High-Stakes Issue:

What Is the Relevant History Associated with This Issue?

Who Is in the Best Position to Help and May Be Willing?

What Are Any Related Issues That Could Be Simultaneously Solved?

What May Create Immediate Resistance and Why?

When Will You Choose to Sacrificially Lead?

THE ROLE *of* SERVANT-LEADERSHIP IN ACTION

MY COLLABORATIVE LEADER ACTION PLAN

Questions to Get You Started:

- 1** Take the Personal Survey found in Appendix 2. Are there any collaborative principles and corresponding character ethics you need to particularly concentrate on developing?
- 2** How would you evaluate various collaborative groups and organizations to which you belong in terms of:
 - A) intentional character-building posture?
 - B) high-stakes proposition?
 - C) sacrificial, example-setting visionary leadership?
- 3** Do you personally have the kind of influence and goodwill in such groups and organizations to encourage members to work together to fortify the essentials of true collaboration?
- 4** Are there friends and colleagues with whom you could start a collaborative group for initial study, accountability, and building relationships?
- 5** When you contemplate community collaboration, are you remembering to think “holistically,” (education, government, business, non-profit, faith, media, etc.)?
- 6** Do you need help locating additional resources to deepen your ability to transfer collaborative principles to others? (Refer to Appendix 3.)

APPENDIX 1

THE MAYFLOWER COMPACT

1620

In the name of God, Amen. We, whose names are underwritten, the Loyal Subjects of our dread Sovereign Lord, King James, by the Grace of God, of England, France and Ireland, King, Defender of the Faith, e&.

Having undertaken for the Glory of God, and Advancement of the Christian Faith, and the Honour of our King and Country, a voyage to plant the first colony in the northern parts of Virginia; do by these presents, solemnly and mutually in the Presence of God and one of another, covenant and combine ourselves together into a civil Body Politick, for our better Ordering and Preservation, and Furtherance of the Ends aforesaid; And by Virtue hereof to enact, constitute, and frame, such just and equal Laws, Ordinances, Acts, Constitutions and Offices, from time to time, as shall be thought most meet and convenient for the General good of the Colony; unto which we promise all due submission and obedience.

In Witness whereof we have hereunto subscribed our names at Cape Cod the eleventh of November, in the Reign of our Sovereign Lord, King James of England, France and Ireland, the eighteenth, and of Scotland the fifty-fourth. Anno Domini, 1620.

APPENDIX 2

THE PERSONAL SURVEY FOR COLLABORATIVE LEADERS

Each principle is accompanied by a brief description of some of the character ethics particularly relevant to it. Again, please review the Build Character booklet in this Civil Society Tutorial series to gain critical insight into the leadership character ethics captured in the *UncommonSense*® framework.

Additionally, you will find a statement for each collaboration-building behavior to help you measure your performance in that area. You may test yourself as a collaborative leader in this manner:

**“I find that I OFTEN (5), SOMETIMES (3), or NEVER (1)
strive to earnestly do the following.”**

To combat self-deception (a condition present in all of us), ask several others who know you well to review this survey with you.

1. DEVELOP ASSETS

Seeing the capacities of others within one’s sphere of influence, and building on those strengths, instead of focusing on deficiencies. (Respect for Others, Servant-Leadership, Stewardship).

_____ I earnestly strive to develop assets.

2. EMBRACE PERSONS OF DIFFERING BACKGROUNDS

Acknowledging that high-character, high-competency people can possess different backgrounds and experience.
(Compassion, Respect for Others, Unity, Seeking Counsel)

_____ I earnestly strive to embrace persons of differing backgrounds.

3. BUILD RELATIONSHIPS

Investing time in getting to know partners and facilitating their relations with one another; for many people, this rapport-building process is of greater value than any product that may result from it. (Respect for Others, Learning & Mentoring, Seeking Counsel)

_____ I earnestly strive to build relationships.

4. CARE FOR THE REPUTATIONS AND INTERESTS OF OTHERS

Cherishing the goodwill of partners and being quick to share credit for successes and take responsibility for failures; respecting others’ time and trying to maximize the resources they may need for particular projects. (Compassion, Respect for Others, Justice, Servant-Leadership, Unity)

_____ I earnestly strive to care for the reputations and interests of others.

5. YIELD PERSONAL PREFERENCES TO THE WELFARE OF THE WHOLE

Being flexible enough to compromise with that which violates no principle of moral character, since collaborative decisions will not always fit the wishes and desires of every member. (Compassion, Servant-Leadership, Unity)

_____ I earnestly strive to yield personal preferences for the welfare of the whole.

6. INSPIRE, ENCOURAGE, AND EMPOWER OTHERS

Encouraging excellence and uplifting others without any attempt to control or dominate the group; mentoring and bringing out the best in others.

(Seeking Wisdom, Fidelity, Excellence, Servant-Leadership, Learning & Mentoring)

_____ I earnestly strive to inspire, encourage, and empower others.

7. COMMUNICATE VISION AND PURPOSE

Articulating in speech and in writing the shared goals and mission of the organization; such communication is clear, persuasive, and frequent enough, not only to keep everyone on track, but also to draw others to the vision. (Seeking Wisdom, Fidelity, Honesty, Unity, Learning & Mentoring)

_____ I earnestly strive to communicate vision and purpose.

8. ENGAGE EVERYONE

De-emphasizing power, position, and status in order to facilitate the ideas, creativity, and contributions of more reserved persons or those occupying lower ranks. (Compassion, Respect for Others, Servant-Leadership, Unity, Learning & Mentoring)

_____ I earnestly strive to get everyone engaged.

9. CONNECT NARROW INTERESTS TO THE BROADER ISSUES OF LIFE

Striving to show the relevance of one's particular activities to the welfare of everyone and everything else; as if to say, "without us and many others like us, our community will suffer loss." (Seeking Wisdom, Accountability, Excellence, Unity, Learning & Mentoring)

_____ I earnestly strive to connect narrow interests to the broader issues of life.

10. MENTOR NEW AND POTENTIAL LEADERS

Identifying those with leadership potential and engaging them in such a way that they are ready to step in when needed. (Servant-Leadership, Unity, Honoring Authority, Learning & Mentoring, Stewardship)

_____ I earnestly strive to mentor new and potential leaders.

11. FOSTER A CORPORATE OR COMMUNAL IDENTITY

Speaking and acting in terms of "we" instead of "I," inculcating a sense of communal pride and responsibility to go along with individual dignity. (Accountability, Servant-Leadership, Unity, Stewardship)

_____ I earnestly strive to foster a corporate or communal identity.

12. EVALUATE RESULTS

Appraising results with regularity, always with an eye toward consistency and progress in the common mission; helping partners to attend to corrective measures where needed, and celebrating successes frequently. (Fidelity, Integrity, Accountability, Unity, Seeking Counsel)

_____ I earnestly strive to evaluate results.

APPENDIX 3

SELECTIVE BIBLIOGRAPHY ON COLLABORATION

ADDITIONAL RESOURCES (CONTINUED)

Gray, Barbara

Collaborating: Finding Common Ground for Multiparty Problems.
San Francisco: Jossey-Bass, 1989.

Karasoff, Patricia

Collaborative Partnerships: A Review of the Literature.
San Francisco State University, 1998.

Morse, Suzanne W.

Building Collaborative Communities.
Charlottesville, VA: Pew Partnership for Civic Change, 1996.

Straus, David

How to Make Collaboration Work.
San Francisco: Berrett-Koehler, 2002.

*On the battlefield, when surrounded
and cheered by pomp, excitement, and
admiration of devoted comrades, and
inspired by strains of martial music
and the hope of future reward, it is
comparatively easy to be a hero, to do
heroic deeds.*

*But to uphold honor in ordinary
circumstances, to be a hero in common
life, that is a genuine achievement
meriting our highest admiration.*

— Booker T. Washington,
1856–1915

THE NORTHWEST ORDINANCE OF 1787

The Northwest Ordinance of July 13, 1787, hardwired collaboration into a working feature of future uniquely American statecraft by engineering spaces for faith, education and self-governance in every tiny township. It made these civil spaces incubators and tutorials for learning and practicing self-governance.

An Ordinance for the government of the Territory of the United States northwest of the River Ohio.

Section 1. *Be it ordained by the United States in Congress assembled, That the said territory, for the purposes of temporary government, be one district, subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.*

Sec 2. *Be it ordained by the authority aforesaid, That the estates, both of resident and nonresident proprietors in the said territory, dying intestate, shall descent to, and be distributed among their children, and the descendants of a deceased child, in equal parts; the descendants of a deceased child or grandchild to take the share of their deceased parent in equal parts among them: And where there shall be no children or descendants, then in equal parts to the next of kin in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate shall have, in equal parts among them, their deceased parents' share; and there shall in no case be a distinction between kindred of the whole and half blood; saving, in all cases, to the widow of the intestate her third part of the real estate for life, and one third part of the personal estate; and this law relative to descents and dower, shall remain in full force until altered by the legislature of the district. And until the governor and judges shall adopt laws as hereinafter mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her in whom the estate may be (being of full age), and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed and delivered by the person being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved, and be recorded within one year after proper magistrates, courts, and registers shall be appointed for that purpose;*

and personal property may be transferred by delivery; saving, however to the French and Canadian inhabitants, and other settlers of the Kaskaskies, St. Vincents and the neighboring villages who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them, relative to the descent and conveyance, of property.

Sec. 3. *Be it ordained by the authority aforesaid, That there shall be appointed from time to time by Congress, a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein in 1,000 acres of land, while in the exercise of his office.*

Sec. 4. *There shall be appointed from time to time by Congress, a secretary, whose commission shall continue in force for four years unless sooner revoked; he shall reside in the district, and have a freehold estate therein in 500 acres of land, while in the exercise of his office. It shall be his duty to keep and preserve the acts and laws passed by the legislature, and the public records of the district, and the proceedings of the governor in his executive department, and transmit authentic copies of such acts and proceedings, every six months, to the Secretary of Congress: There shall also be appointed a court to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate in 500 acres of land while in the exercise of their offices; and their commissions shall continue in force during good behavior.*

Sec. 5. *The governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original States, criminal and civil, as may be necessary and best suited to the circumstances of the district, and report them to Congress from time to time: which laws shall be in force in the district until the organization of the General Assembly therein, unless disapproved of by Congress; but afterwards the Legislature shall have authority to alter them as they shall think fit.*

Sec. 6. *The governor, for the time being, shall be commander in chief of the militia, appoint and commission all officers in the same below the rank of general officers; all general officers shall be appointed and commissioned by Congress.*

Sec. 7. *Previous to the organization of the general assembly, the governor shall appoint such magistrates and other civil officers in each county or township, as he shall find necessary for the preservation of the peace and good order in the same:*

After the general assembly shall be organized, the powers and duties of the magistrates and other civil officers shall be regulated and defined by the said assembly; but all magistrates and other civil officers not herein otherwise directed, shall during the continuance of this temporary government, be appointed by the governor.

Sec. 8. *For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the governor shall make proper divisions thereof; and he shall proceed from time to time as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the legislature.*

Sec. 9. *So soon as there shall be five thousand free male inhabitants of full age in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect a representative from their counties or townships to represent them in the general assembly: Provided, That, for every five hundred free male inhabitants, there shall be one representative, and so on progressively with the number of free male inhabitants shall the right of representation increase, until the number of representatives shall amount to twenty five; after which, the number and proportion of representatives shall be regulated by the legislature: Provided, That no person be eligible or qualified to act as a representative unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years; and, in either case, shall likewise hold in his own right, in fee simple, two hundred acres of land within the same; Provided, also, That a freehold in fifty acres of land in the district, having been a citizen of one of the states, and being resident in the district, or the like freehold and two years residence in the district, shall be necessary to qualify a man as an elector of a representative.*

Sec. 10. *The representatives thus elected, shall serve for the term of two years; and, in case of the death of a representative, or removal from office, the governor shall issue a writ to the county or township for which he was a member, to elect another in his stead, to serve for the residue of the term.*

Sec. 11. *The general assembly or legislature shall consist of the governor, legislative council, and a house of representatives. The Legislative Council shall consist of five members, to continue in office five years, unless sooner removed by Congress; any three of whom to be a quorum: and the members of the Council shall be nominated and appointed in the following manner, to wit:*

As soon as representatives shall be elected, the Governor shall appoint a time and place for them to meet together; and, when met, they shall nominate ten persons, residents in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress; five of whom Congress shall appoint and commission to serve as aforesaid; and, whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress; one of whom congress shall appoint and commission for the residue of the term. And every five years, four months at least before the expiration of the time of service of the members of council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress; five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of representatives, shall have authority to make laws in all cases, for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills, having passed by a majority in the house, and by a majority in the council, shall be referred to the governor for his assent; but no bill, or legislative act whatever, shall be of any force without his assent. The governor shall have power to convene, prorogue, and dissolve the general assembly, when, in his opinion, it shall be expedient.

Sec. 12. *The governor, judges, legislative council, secretary, and such other officers as Congress shall appoint in the district, shall take an oath or affirmation of fidelity and of office; the governor before the president of congress, and all other officers before the Governor. As soon as a legislature shall be formed in the district, the council and house assembled in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating but not voting during this temporary government.*

Sec. 13. *And, for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions are erected; to fix and establish those principles as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in the said territory: to provide also for the establishment of States, and permanent government therein, and for their admission to a share in the federal councils on an equal footing with the original States, at as early periods as may be consistent with the general interest:*

Sec. 14. *It is hereby ordained and declared by the authority aforesaid, That the following articles shall be considered as articles of compact between the original States and the people and States in the said territory and forever remain unalterable, unless by common consent, to wit:*

Art. 1. *No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship or religious sentiments, in the said territory.*

Art. 2. *The inhabitants of the said territory shall always be entitled to the benefits of the writ of habeas corpus, and of the trial by jury; of a proportionate representation of the people in the legislature; and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offenses, where the proof shall be evident or the presumption great. All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers or the law of the land; and, should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made, or have force in the said territory, that shall, in any manner whatever, interfere with or affect private contracts or engagements, bona fide, and without fraud, previously formed.*

Art. 3. *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.*

Art. 4. *The said territory, and the States which may be formed therein, shall forever remain a part of this Confederacy of the United States of America, subject to the Articles of Confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the said territory shall be subject to pay a part of the federal debts contracted or to be contracted, and a proportional part of the expenses of government, to be apportioned on them by Congress according to the same common rule and measure by which apportionments thereof shall be made on the other States;*

and the taxes for paying their proportion shall be laid and levied by the authority and direction of the legislatures of the district or districts, or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The legislatures of those districts or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers. No tax shall be imposed on lands the property of the United States; and, in no case, shall nonresident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways and forever free, as well to the inhabitants of the said territory as to the citizens of the United States, and those of any other States that may be admitted into the confederacy, without any tax, impost, or duty therefor.

Art. 5. *There shall be formed in the said territory, not less than three nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of cession, and consent to the same, shall become fixed and established as follows, to wit: The western State in the said territory, shall be bounded by the Mississippi, the Ohio, and Wabash Rivers; a direct line drawn from the Wabash and Post Vincents, due North, to the territorial line between the United States and Canada; and, by the said territorial line, to the Lake of the Woods and Mississippi. The middle State shall be bounded by the said direct line, the Wabash from Post Vincents to the Ohio, by the Ohio, by a direct line, drawn due north from the mouth of the Great Miami, to the said territorial line, and by the said territorial line. The eastern State shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: Provided, however, and it is further understood and declared, that the boundaries of these three States shall be subject so far to be altered, that, if Congress shall hereafter find it expedient, they shall have authority to form one or two States in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan. And, whenever any of the said States shall have sixty thousand free inhabitants therein, such State shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original States in all respects whatever, and shall be at liberty to form a permanent constitution and State government: Provided, the constitution and government so to be formed, shall be republican, and in conformity to the principles contained in these articles; and, so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand.*

Art. 6. *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: Provided, always, That any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid.*

Be it ordained by the authority aforesaid, That the resolutions of the 23rd of April, 1784, relative to the subject of this ordinance, be, and the same are hereby repealed and declared null and void.

Done by the United States, in Congress assembled, the 13th day of July, in the year of our Lord 1787, and of their sovereignty and independence the twelfth.

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