

**WHY IS ALLEGIANCE DUE? AND
WHERE IS IT DUE? AN ADDRESS
DELIVERED BEFORE THE
NATIONAL UNION ASSOCIATION
OF CINCINNATI, JUNE 2, 1863**

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Why is allegiance due? And where is it due? An address delivered before the National union association of Cincinnati, June 2, 1863 by Israel W. Andrews

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ISRAEL W. ANDREWS

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3 *Andrews, Israel W.*

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AND

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AN ADDRESS

DELIVERED BEFORE THE

National Union Association of Cincinnati,

JUNE 2, 1863,

BY ISRAEL W. ANDREWS,
PRESIDENT OF MARIETTA COLLEGE.



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Charles E. Norton.

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CORRESPONDENCE.

HEADQUARTERS "NATIONAL UNION ASSOCIATION,"
No. 2, Bacon's Building, North-West corner Sixth and Walnut Sts., }
Cincinnati, Ohio, June 3, 1863.

President I. W. Andrews:

SIR: The National Union Association appreciated your able Address to them at their regular meeting last night, and unanimously adopted the following resolution:

Resolved, That the thanks of the National Union Association be returned to President I. W. ANDREWS, for his instructive Address relative to the Allegiance of American Citizens, being a caustic criticism on the political dogma of 'State Sovereignty;' that the General Secretary request him to commit the same to writing, and to furnish a copy for publication under the auspices of the National Union Association."

In communicating the above action, allow me to tender you thanks as requested, and to congratulate you that you have so logically and patriotically defended the Constitution of the United States from a fallacy which has misled thousands. The historic light you throw upon this vital topic will, I trust, serve to conduct many of them from their error.

For the Executive Committee.

JOHN D. CALDWELL,
General Secretary.

MARIETTA COLLEGE, June 4, 1863.

DEAR SIR: I will endeavor to comply with the request of the National Union Association, to commit my Address of Tuesday evening to writing for the purpose of publication, though I can not, on account of my official duties, devote the time which I should be glad to give to the subject.

I give my views to the public with the more readiness, as the request from your Association is the third I have received within the last ten days.

Very truly, yours,

ISRAEL W. ANDREWS.

JOHN D. CALDWELL, Esq.,

General Secretary National Union Association.



1863, Oct. 13.

Charles E. Norton

(H. H. 1846.)

ADDRESS.

Mr. President and Gentlemen :

In accepting the invitation to address you, I have no purpose to endeavor to deepen your patriotic feeling, or kindle your enthusiasm to a higher pitch. I wish rather to discuss, calmly and dispassionately, one or two of the principles of our Government, and seek to ascertain its true character from its Constitution, from its workings, and from the history of its formation. I speak not as a politician, nor as a lawyer even, but as a citizen—believing that the Constitution was intended for the people, and was clothed in language which all intelligent citizens can understand.

I am not ignorant that in presuming to discuss, in public, a constitutional question, I shall incur the censure of those who believe that all such discussion must be by politicians and political editors. I know well enough that such men, while they would allow to one occupying the position which I do the right to vote, and, possibly, to have an opinion on questions affecting the vital interests of the nation, are greatly shocked, and their sense of propriety outraged, at the idea of any public utterance or advocacy of such an opinion. The charge of meddling with party politics may be expected from those who are all the while promulgating doctrines which tend, whether they know it or not, to the utter subversion of all government; but this should not deter one from giving utterance to what he sincerely believes to be, not only truth, but truth vital to the nation.

I shall not speak as a partisan, or discuss questions of party politics, but rather those which concern the nature of government; and I may express the hope that, in studying the Constitution and history of our country, I have been actuated by at least as sincere a desire to arrive at the truth, and that, in this public utterance of my opinions and the reasons for holding them, I speak with as strong a sense of my responsibility as those who would deny free speech to such as I am, and arrogate to themselves the exclusive privilege of giving publicity to their views.

There are two questions pertaining to civil government which are fundamental: *Why do we owe allegiance to Government?* and, *Where do we owe it?* In other words, what is the ground of my obligation to render obedience to civil authority; and, in cases of conflict, to what authority shall I render it?

As to the first of these questions, there is a theory somewhat current, that all the authority of a State or Nation comes from the individual citizen. It assumes that, prior to civil society, the individual man has certain rights, by the giving up of which civil society and government are formed. It is sometimes said that a man gives up a portion of his rights for the greater security of the remainder. The theory supposes that men come together and deposit a portion of their rights and powers in a common stock; and that no government can legitimately exercise any powers except those thus deposited. According to this, the power originally resides in the individual citizens; and until they give it up, each for himself, there can be no such thing as civil government.

To this theory there are divers objections. Suppose the individual man does not choose to place in the common stock his infinitesimal portion of civil power; how is it to be taken from him? Plainly, civil government on such a theory would be well-nigh an impossibility. The majority could never bind the minority. As new generations came upon the stage, they would remain free from all obligations to obey law and government until they had voluntarily, and each one for himself, thus given up their individual rights. We should have nations containing multitudes of men over whom the law and the ruler could have no control—privileged characters, acknowledging and owing no allegiance to any civil power. Were the theory true, such cases would be found. But no nation, civilized or barbarous, will acknowledge that it contains any such class among its citizens. Outlaws there may be, and are; but nowhere do we find a class of men who, because they have never made any surrender of their individual rights, claim to owe neither allegiance nor obedience to civil government, and have their claim allowed.

Nor, again, does history give us any account of men coming together and making a deposit of a part of the powers and rights with which they were endowed by nature. There is no instance on record that any nation was ever formed in this way.

But even if such a surrender were to take place, government could not thus be constituted. The powers of government include those which never belonged to the individual man. The right to impose taxes, to punish crime, to make war, is one which, as *individuals*, we never possessed, and therefore we could never delegate it.

The fallacy in the theory we are considering consists in confounding men as *individuals* with men as constituting a *community*. Wherever a

community of men can be found, there is *already* civil society. There is no necessity for men to assemble and surrender a part of their rights in order to form a basis for authority; the authority exists without any such surrender.

In mathematics, the whole is equal to the sum of the parts; but in civil society, the whole is greater than the sum of the parts. As an individual, I am destitute of all civil authority; I have none now; I never had any. And this is true of every citizen. Yet the nation has it—has all it needs.

Civil government is a fact—a reality. We do not make it; we find it already existing, and ourselves amenable to it. We are born into the nation as into the family. And we are to obey the laws of the land, not because we helped to enact them—not because we, as individuals, have given to any one authority to enact them for us, but because they are the laws of the land. The child is to obey his parents because they are his parents; he is born subject to their authority. So the citizen is born subject to the authority of the country in which he lives. He may dislike its constitution and every law upon its statute-book, but this does not release him from his obligation to obedience.

In the strict sense, then, we do not *create* civil government, though we may give it its form. We can not live prior to it, and thus discuss the propriety of calling it into existence, though we may modify it, and give it such shape as pleases us. We never decide whether government *shall* be, though we do decide *what* it shall be.

In all this we find the teachings of sound philosophy and the verdict of history to agree with each other, and both to be in accordance with the Word of God. "The powers that be are ordained of God." "There is no power but of God." It was the intention of Providence that men should live in civil society, and under civil government, as much as that the race should be grouped in families, and the child be subject to his parents. We do not believe in the divine right of kings, that is, that a particular man has a divine right to be a king; but whoever exercises legitimately any function of the civil ruler, whether he be king or president, legislator or judge, is exercising a power which is as divine in its origin as is the power of a parent over his child.

Such theories as the one upon which I have now been animadverting, tend to degrade government in the estimation of the people. It becomes a kind of joint-stock company; it loses its sacredness; moral ideas disappear from it. Men come to look upon it as a thing of human creation; they made it, and they can unmake it. Thus respect for it is lost, and the spirit of true loyalty dies out. They delight to speak of rulers as their *servants*. Mr. Jefferson Davis speaks thus contemptuously of the General Government: "The agent through whom they (the