December 20, 1863

The National Authority A Test vote in Congress.

Well, the House has taken a test vote on the really vital principle of the war. It has long been plain to discerning minds that behind all this talk about habeas corpus, emancipation, State rights, and other questions which mere party men have sought to keep in the foreground, there has been a controlling influence quite distinct from anything that appeared in the controversy. It was something that shaped and colored the opinions of men, and predisposed them in advance to approve or denounce -- something that was "the master light of all their seeing." Between the supporters and opponents of the Administration there has been a higher issue, not so palpable as the others, because abstract, and yet that dominated all the others. The leaders of the Opposition have in general tried to keep it from view, and to this mainly they are indebted for the little success they have ever achieved.

This superlative issue is, whether authority is a necessisy of this Federal Government or not. Mr. CALHOUN, JEFF. DAVIS, and all the rebel crew have maintained that the Federal Government had no authority at all. They held that a portion of the people, through the State organizations, might nullify it or secede from it, which was equivalent to holding that the Federal Government had no authority. Power, resting on permission, is not authority. Authority involves coercive right. Mr. BUCHANAN committed himself to the same doctrine in his last annual message, wherein he denied any Federal right to coerce States, or the people of a State acting through the State Government. Gov. SEYMOUR of Connecticut took the same ground in the gubernatorial canvass of that State last Spring.

But the leaders of the Opposition generally do not believe in, or if they do, they do not dare to take this extreme ground that there is no such thing as Federal authority. They may or may not allow its existence, but if it does exist, they do not consider it at all a necessity. According to them, it can be dispensed with just as convenience or transient expediency may prompt. Up to a certain mark they have no particular objection to it, but beyond that they are disposed to treat it as an intrusion and a nuisance. Of course they don't say so, exactly. This would hardly answer, for the people have still some remnant of the old-fashioned prejudice about the supremacy of law and the inviolable sanctions of Government. But the language and acts of their leaders for the last two years have indicated their disbelief in the necessity of maintaining authority. They have manifested it indirectly, but none the less unmistakably.

The war against the rebellion was undertaken to vindicate and enforce Federal authority. The first Proclamation of President LINCOLN -- that of the 15th of April, 1861, calling for 75,000 militia -- set forth that the object was to "cause the laws of the United States to be duly executed." That is the end, the sole end, and nothing but the end of the war. On that principle the President stands, and ever has stood. His language from the beginning has been that the men in rebellion could have peace by obeying the laws and submitting to the authority of the United States, and in no other way whatever. His opponents have never confronted him squarely on that ground, but they have sought to deprive him of the means of

prosecuting the war effectually upon it. They undertook to take from him the right of suspending habeas corpus, though its suspension in case of rebellion is expressly recognized by the Constitution as a necessity. They undertook to break down the National Enrollment Act, which was necessary to supply the armies in the field against the rebellion. They undertook to put the war under an interdict against touching Slavery, when it was not a human possibility to carry on the war with any effect without touching Slavery. They have in this way constantly operated against the methods used by the President to maintain the national authority, and have used every variety of pretext to do it without rousing the people to the fact that they really did not believe in maintaining the national authority. It was high time that this matter should be exactly understood.

Mr. GREEN CLAY SMITH, of Kentucky, submitted to the House of Representatives the following resolution:

"Resolved, That as our country and the very existence of the best Government ever instituted by man, is imperiled by the most causeless and wicked rebellion that the world has ever seen, and believing as we do that the only hope of saving the country and preserving this Government is by the power of the sword, we are for the most vigorous prosecution of the war until the Constitution and laws shall be enforced and obeyed in all parts of the United States, and to that end we oppose any armistice, or intervention, or mediation, or proposition for peace from any quarter, so long as there shall be found a rebel in arms against the Government; and we ignore all party names, lines and issues, and recognize but two parties in this war, patriots and traitors."

That resolution struck directly at the heart of all this difference between the Administration and its opponents. It was an assertion of the right and the necessity of an unyielding maintenance of authority by the National Government. It was a recognition that this nation lives in law, and not in chance, or individual pleasure; and that when this vital principle is assailed, it cannot be surrendered, in whole or in part, but must be protected and preserved in its absolute integrity. A court of justice has judicial authority, conferred by law; but if that authority is used to negotiate with criminals, it ceases to be authority, and becomes a mere parleying between equals. Law is maintained not by negotiation, but by judgment. If clemency is to come in at all, it comes after the law has asserted itself, and not before. Just so if clemency is to extend to the rebels, if concession in any shape is to be given them, it must be done after the lawful authority of the United States has vindicated itself. That resolution presented this vital principle distinctly. What was the vote upon it? Ninety-three members of the body said yes to it; Sixty-four said no. Every man of these sixty-four is an opponent of the Adminstration of President LINCOLN.

This settles the matter. The animus which will prompt the future votes of these men against the measures of the Administration is now put beyond all further doubt. They oppose not because the measures are inexpedient as means, but because they are calculated to promote an end which they do not believe in -- enforcement of law on one hand, unconditional submission on the other. They occupy a position between loyalty and rebellion -- but nearer the latter than the former, for while they may agree with the one that authority exists as an abstraction, they agree with the other in the much more practical thing that there is nothing in it that ought to be exercised. They may accord with the loyal men so far as regards the form, but they actually do accord with rebels so far as relates to the substance -- with the one in the theory, the other in the practice.

The division of this resolution supplies a classification long needed. It puts a distinctive mark on our Representatives, that is the only really essential one. The principle it involves will hereafter assume a yet bolder form, and, in all probability, will make the main issue in the great elections of the coming year.
