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EDITORIAL

## GNAWING AT THE FILE.

By DANIEL DE LEON

**S**ENATOR Knox of Pennsylvania is the latest distinguished lawyer who found the clause in the United States Constitution empowering Congress to regulate commerce<sup>1</sup> a mystery that the capitalist mind cannot fathom. In his recent New Haven speech, the Senator gnawed at that file, and gnawed, and after talking nearly two hours he was no clearer than when he started. Senator Knox is no exception to his fellow capitalist lawyers. None is a jurist.

The constitutional clause vesting Congress with the power to regulate commerce is the distinctive act upon which the framers of the Constitution deserve credit. That clause was a stroke of genius. It is the clause that connects the past with the present and will connect the present with the future.

The capitalist mind is trained to the belief that commerce is cheating. Marx bestowed upon this aspect of bourgeois thought not a little of his vast stores of ridicule, and he turned upon it the flashlight of his genius. He proved that so inveterate a cheat is the capitalist that he is not aware the surplus values which he pockets are pocketed by virtue of an exchange of value for value. Commerce cannot separate itself from cheating in bourgeois society. All the same the idea of commerce has nothing in common with mutual over-reaching. Commerce, in its purity, means the exchange of value for value.

The only clause of the Constitution that will survive the political government which that document frames, is the clause vesting in the central government the power to regulate commerce. The political government once overthrown, the only function of importance left for the central authority to attend to is the function of "regulating commerce." That clause of the present constitution has hardly any

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<sup>1</sup> [Article I, Section 8—*R.B.*]

application to-day. It looks like a strange cat in a garret. The actual regulation of commerce implies the Socialist Republic. It implies a representation of industries. It implies the regulation of production itself. No wonder bourgeois-trained lawyers talk around the question whenever they tackle it, never grapple with the question itself.

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