

EDITORIAL

THE CASE OF KNOX.

By DANIEL DE LEON

WASHINGTON despatches state it as a settled thing that Senator Philander C. Knox is to be Taft's Secretary of State—"all difficulties being removed."

The facts in what may be called the "case of Knox" stand out plain.

The Constitution forbids a member of Congress to fill, during the time for which he is elected, any civil office under the authority of the United States the emoluments whereof have increased during such time.

Philander C. Knox is a member of Congress; the office of Secretary of State is a civil office under the authority of the United States; during Knox's incumbency the emoluments of the Secretary of State have been raised; Knox's term of office does not expire until March 4, 1911.

Applying the Constitutional clause to Senator Knox, he, along with all the Members of the Congress that increased the emoluments of the Secretary of State and whose terms do not run out on or before next March 4, is disqualified from serving as Secretary of State. One and all the disqualifications recited in the Constitution cover the Senator.

Now follows another sequence of facts:

Senator Knox was appointed Secretary of State by Taft, the appointment to take effect as soon after noon of next March 4th as the Senate can convene and take favorable action upon the appointment.

After President-elect Taft's choice was made, the Constitutional clause was thought of. It was found a bar to the Senator's confirmation.

Upon the discovery a bill was introduced in the Senate reducing the emoluments of the Secretary of State back to where they stood before. The bill was passed by Congress. It is law to-day.

There is one more fact to be considered. The bill increasing the emoluments of

the Secretary of State increased at the same time the emoluments of all the other Cabinet officers. The present reduced salary of the Secretary of State places him, the head of the Cabinet, below the rank of his colleagues in the Cabinet, as far as salary goes. The discrepancy is not to remain permanent. It is understood and expressly stated that, immediately upon the expiration of the term for which the Senator would have served in the Senate, the salary of the Secretary of State will be raised back to where it stood before this late reduction.

It is not likely, indeed, it is quite certain, that when Congress increased the emoluments of the Secretary of State the prospect of his filling the office so soon did not cross the mind of Senator Knox. It, consequently, is obvious that, in this instance, there did not exist the corrupt collusion that the Constitutional clause is intended to protect against. On the other hand, it is equally obvious that the manoeuvre, by which the bar to the Senator's appointment was removed, removes at the same time the protection against the Constitutional clause which has been evaded.

The instant the letter of so wise a clause as the one just evaded, is disregarded because of the absence of actual intent at corruption, actual intent may later be easily argued away.

Nothing now stands in the way of any of the numerous gigantic corporations, which already overshadow the Government, to "log roll" with some Senator or Representatives. Any of these may now be induced to legislate in obedience to some Trust by the promise of speedy reward with some civil appointment, the emoluments to which he, in order to render the reward an all the fatter plum, will exert his legislative function in increasing.

Knox's appointment by Taft is, in itself, a symptom of nothing. The manoeuvre of Congress, with the knowledge and approval of the President-elect,—that is symptomatic of politico-social ulceration. How far and deep the ulceration extends President-elect Taft's confident assertion, that "an attack in the Courts will not be entertained" by the Judiciary, gives some inkling of.

Transcribed and edited by Robert Bills for the official Web site of the Socialist Labor Party of America.

Uploaded July 2010

slpns@slp.org