

AMERICAN CONSTITUTIONALISM
VOLUME II: RIGHTS AND LIBERTIES
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Supplementary Material

Chapter 8: The New Deal/Great Society Era – Foundations/Principles

Franklin D. Roosevelt, **The Four Freedoms Speech** (1941)

Liberals in all branches of the national government during the New Deal/Great Society Era promoted civil rights and liberties. President Truman desegregated the armed forces and his Justice Department intervened on behalf of civil rights petitioners in cases combating discrimination in education and housing. President Kennedy championed religious freedom and was actively involved in the judicial decisions striking down malapportioned legislative districts. President Johnson was the moving force behind the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

President Roosevelt's commitment to civil liberties is complex. On the one hand, he signed the order removing Japanese-Americans from the West Coast and urged his Justice Department to prosecute prominent opponents of World War II. On the other hand, Roosevelt frequently championed the freedom of speech and religion in public addresses, appointed prominent liberals to high positions in the Justice Department, and tended to favor proponents of liberal constitutional rights when making judicial appointments. Roosevelt's State of the Union address in 1941 was the most prominent instance in which he promoted civil rights and liberties. Although he did not mention the flag salute cases by name, Roosevelt repeatedly emphasized the freedom of speech and religion in addresses delivered after the Supreme Court in 1940 declared that states could force Jehovah's Witnesses to salute the flag. Inspired perhaps by presidential rhetoric and augmented by Roosevelt judicial appointees on record as favoring the rights of Jehovah's Witnesses before joining the Supreme Court, a judicial majority reversed that decision in 1943. More generally, Roosevelt's rhetoric contributed to the process by which free speech and related freedoms became understood as the most important constitutional liberties.¹

...

As men do not live by bread alone, they do not fight by armaments alone. Those who man our defenses and those behind them who build our defenses must have the stamina and the courage which come from unshakeable belief in the manner of life which they are defending. The mighty action that we are calling for cannot be based on a disregard of all the things worth fighting for.

The nation takes great satisfaction and much strength from the things which have been done to make its people conscious of their individual stake in the preservation of democratic life in America. Those things have toughened the fiber of our people, have renewed their faith and strengthened their devotion to the institutions we make ready to protect.

Certainly this is no time for any of us to stop thinking about the social and economic problems which are the root cause of the social revolution which is today a supreme factor in the world. For there is nothing mysterious about the foundations of a healthy and strong democracy.

The basic things expected by our people of their political and economic systems are simple. They are:

Equality of opportunity for youth and for others.
Jobs for those who can work.

¹ For a thorough analysis of Roosevelt administration efforts to promote civil liberties during World War II, see Robert L. Tsai, "Reconsidering *Gobitis*: An Exercise in Presidential Leadership," *Washington University Law Review* 86 (2008): 363.

Security for those who need it.
The ending of special privilege for the few.
The preservation of civil liberties for all.
The enjoyment of the fruits of scientific progress in a wider and
constantly rising standard of living.

These are the simple, the basic things that must never be lost sight of in the turmoil and unbelievable complexity of our modern world. The inner and abiding straight of our economic and political systems is dependent upon the degree to which they fulfill these expectations.

...

In the future days which we seek to make secure, we look forward to a world founded upon four essential human freedoms.

The first is freedom of speech and expression—everywhere in the world.

The second is freedom of every person to worship God in his own way—everywhere in the world.

The third is freedom from want, which, translated into world terms, means economic understandings which will secure to every nation a healthy peacetime life for its inhabitants—everywhere in the world.

The fourth is freedom from fear, which, translated into world terms, means a world-wide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor—anywhere in the world.

...

... A good society is able to face schemes of world domination and foreign revolutions alike without fear. Since the beginning of our American history we have been engaged in change, in a perpetual, peaceful revolution, a revolution which goes on steadily, quietly, adjusting itself to changing conditions without the concentration camp or the quicklime in the ditch. The world order which we seek is the cooperation of free countries, working together in a friendly, civilized society.

This nation has placed its destiny in the hands, heads and hearts of its millions of free men and women, and its faith in freedom under the guidance of God. Freedom means the supremacy of human rights everywhere. Our support goes to those who struggle to gain those rights and keep them. Our strength is our unity of purpose.

To that high concept there can be no end save victory.