
Franklin D. Roosevelt — “The Great Communicator”
The Master Speech Files, 1898, 1910-1945

**Series 2: “ You have nothing to fear but fear itself:” FDR
and the New Deal**

File No. 1174

1938 September 17

**Poughkeepsie, NY - Radio Message to 150th
Anniversary of Constitutional Convention**

SPEECH OF THE PRESIDENT
CONSTITUTIONAL CONVENTION
POUGHKEEPSIE, N. Y.,
SEPTEMBER 17, 1938

It is with deep personal disappointment that I find
the affairs of the world such that I cannot be with my
neighbors in Poughkeepsie today.

That my great-great-grandfather, Isaac Roosevelt, sat
in the little old Court House here one hundred and fifty years
ago and cast his vote with the slim majority in favor of
ratification of the Federal Constitution is a family tradition
of which I am proud.

There are two words in the English language which in
the heat of political controversy are often forgotten or
abused -- the words "faith" and "confidence". It is well for
us to remember that a very large minority of the inhabitants
of the original Thirteen States ~~were~~ opposed ~~to~~ the adoption
of the Constitution. They had witnessed the complete failure
of government under the Articles of Confederation -- yet they

were opposed to a real union because they believed those leaders who viewed with alarm any effort to think and act in national terms instead of state and local terms.

And, believe me, the viewers with alarm, the patrons of ghosts and hobgoblins ~~in~~ ^{have} those days, had little to learn from the professional fear-mongers of 1938.

I wish that all of you might read the dusty newspapers and pamphlets and handbills of 1788. Feelings ran high. Vituperation and invective were the rule. The State of New York would cease to exist and its people would be squeezed to death between the cold-blooded Yankees of New England on the one side and the passionate aristocracy of the South on the other -- if you believed one type of publicity. The people of the State of New York would be ruined by interstate tariffs and as a weak independent nation would be reconquered by George the Third, if you read the publicity of the other party.

Washington, Adams, Hamilton and Clinton were labeled traitors and dictators.

In the midst of these diatribes this Constitutional Convention in Poughkeepsie was faced with the problem of saying "yes" or "no". Then, as now, there were men and women afraid of the future -- distrustful of their own ability to meet changed conditions; short-sighted in their dog-in-the-manger conception of local and national needs. They were afraid of democracy; afraid of the trend toward unity; afraid of Thirteen States becoming one nation.

As the weeks went on and an insufficient number of States had approved the Constitution to put it into effect, its opponents at this Convention, realizing more and more that the very existence of that paper organization known as the United States of America was at stake and that public opinion was swinging against them, narrowed their opposition to the fact that the Constitution contained no Bill of Rights.

They held a slim majority against ratification, but at that moment a small group of delegates, in which I am glad to say Dutchess County was well represented, came forward with an appeal to the "faith and confidence" of the Convention. They agreed that a permanent Constitution for the United States should contain a Bill of Rights -- and they proposed ratification by the State of New York "in full faith and confidence" that a Bill of Rights would be promptly submitted to the Several States by the first Congress to meet under the Constitution.

You and I know today that it was this proposal which won final adherence by a small margin; and more than that -- that this proposal of "full faith and confidence" was in fact carried out by the Congress of the United States when it assembled.

I do not know that it is necessary to elaborate on this parable or text. It is perhaps sufficient for me to say that when in almost every generation between 1788 and 1938 the American people have been faced with similar decisions,

they have in the long run expressed their "full faith and confidence" in the integrity and safety of the national concept.

It required great patience between 1783 and 1788 to bring home the realization that thirteen separate colonies, become thirteen separate states, could not survive as thirteen separate nationalities. Leadership toward the thought of a united nation had to be patient and was. Perseverance of leadership combined with patience has always won.

Once ratified the Constitution presented the outline of a form of government. To become a workable instrument of government its words needed men in every succeeding generation to administer it as great as the men who wrote it.

And the greatest of them have been the men who have sought to make the Constitution workable in the face of the new problems and conditions that have faced the nation from year to year.

Yes, the greatest of them have been those who have not said - "it will not work; it cannot be done; it must be changed" - but rather those who have applied to the Constitution of the United States the spirit of "full faith and confidence" which has come down to us from the Convention which met here in the Summer of 1788.

Fredrikke M. Jønsewold

Original reading copy -
This speech by radio.

RADIO ADDRESS OF THE PRESIDENT
Delivered from the Oval Room of the White House
To the Constitutional Convention at Poughkeepsie, New York
September 17, 1938, 10:15 A.M.

GOVERNOR LEBAN, MY FELLOW CITIZENS OF THE STATE OF NEW YORK:

It is with deep personal disappointment that I find the affairs of the world such that I cannot be with my neighbors in Poughkeepsie today.

That my great-great-grandfather, Isaac Roosevelt, sat in the little old Court House here one hundred and fifty years ago and cast his vote with the slim majority in favor of ratification of the Federal Constitution is a family tradition of which I am proud.

There are two words in the English language which in the heat of political controversy are often forgotten or abused -- the words "faith" and "confidence." It is well for us to remember that a very large minority of the inhabitants of the original Thirteen States (were) opposed (to) the adoption of the Constitution. They had witnessed the complete failure of government under the Articles of Confederation -- yet they were opposed to a real union because they believed those leaders who viewed with alarm any effort to think and act in national terms instead of state and local terms.

And, believe me, the professional fear-mongers of 1938 have little to learn from the viewers with alarm, the patrons of ghosts and hobgoblins (in those days had little to learn from the professional fear-mongers of 1938) of the days of 1788.

I wish that all of you might read the dusty (news)papers and pamphlets and handbills of (1788) a hundred and fifty years ago. Feelings ran high. Vituperation and invective were the rule. The

Franklin D. Roosevelt Library

This is a transcript made by the White House stenographer from his shorthand notes taken at the time the speech was delivered. Underlining indicates words added or extemporaneously added to the previously prepared reading copy text. Words in parentheses are words that were omitted when the speech was delivered, though they appear in the previously prepared reading copy text.

at middles we are to have I will do this and to continue
what happened
at the , therefore and particularly to the
but one other thing shorthand one word each time we will add
not to particular to each of which will edit the story and now
about as I do to particular place a at multitudinous benefit
and at odds assigned design and at same get via first
and -- begins to repeat what we were telling to read
that followed us as not now as if "concerning" our "dilett" others
desirous indicate and to establish and to give us a
good . particular and to mitigate our last message (now) which
we left off when preparing to enlist citizens and especially the
united states here's as before now this day -- returning to
as far as this state this benefit one planned words followed just
what I had the state to himself after finished all the time while
and to speak out loud and clear and as I intended the whole
and to speak up to (not to speak out loud and
particularly) than not have this not to the fact how I
one more with the benefit a (now) to sufficient the unique has
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Washington, Adams, Hamilton and Clinton were labeled traitors and dictators.

And in the midst of these diatribes this Constitutional Convention in Poughkeepsie was faced with the problem of saying "yes" or "no". Then, as now, there were men and women afraid of the future -- distrustful of their own ability to meet changed conditions; shortsighted in their dog-in-the-manger conception of local and national needs. They were afraid of democracy; afraid of the trend toward unity; afraid of Thirteen States becoming one Nation.

As the weeks went on and an insufficient number of states had approved the Constitution to put it into effect, its opponents at this Convention, realizing more and more that the very existence of that paper organization known as the United States of America was at stake and that public opinion was swinging against them, narrowed their opposition to the fact that the Constitution contained no Bill of Rights.

They held a slim majority against ratification, but at that moment a small group of delegates, in which I am glad to say Dutchess County was well represented, came forward with an appeal

to the "faith and the confidence" of the Convention. They agreed that a permanent Constitution for the United States should contain a Bill of Rights -- and they proposed ratification by the State of New York "in full faith and confidence" that a Bill of Rights would be promptly submitted to the Several States by the first Congress to meet under the Constitution.

You and I know today that it was this proposal which won final adherence to the Constitution by a small margin; and more than that -- that this proposal of "full faith and confidence" was in fact carried out by the Congress of the United States when it assembled.

I do not know that it is necessary to elaborate on this parable, (or) this text. It is perhaps sufficient for me to say that when in almost every generation between 1788 and 1938 the (American) people have been faced with similar decisions, they have in the long run expressed their "full faith and confidence" in the integrity and safety of the national concept.

It required great patience between 1783 and 1788, those five years after the close of the Revolutionary War, great patience to bring home the realization that thirteen separate colonies, become thirteen separate states, could not survive as thirteen separate nationalities. Leadership toward the thought of a united Nation had to be patient and it was. Perseverance of leadership combined with patience has always won.

Once the Constitution was ratified (the Constitution) it presented the outline of a form of government. But to become a workable instrument of government its words needed men, men in every succeeding generation to administer it, men as great as the men who wrote it.

And the greatest of them have been the men who have sought to make the Constitution workable in the face of the new problems and conditions that have faced the American Nation from year to year.

Yes, the greatest of them have been those who have not said -- "It will not work; it cannot be done; it must be changed" -- but rather those who have applied to the Constitution of the United States the spirit of "full faith and confidence" which has come down to us today from the Convention which met here in the summer of 1788.

1136

FOR THE PRESS

September 17, 1938

~~CONFIDENTIAL~~. The following radio remarks of the President, to be delivered from the Oval Room of the White House, must be held for release in editions of all newspapers appearing on the streets NOT EARLIER THAN 10:15 A. M. ~~o'clock~~, EASTERN STANDARD TIME, today.

CAUTION: Please safeguard against premature release.

STEPHEN EARLY
Secretary to the President

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STATEMENTS FILE
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130

1450 words

10 minutes.

Draft of
Poughkeepsie speech
File personal
[9/17/37]

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Here at Poughkeepsie one hundred and fifty years ago the people of the State of New York, in convention assembled, ratified the Constitution of the United States.

The history of the proceedings, and of the state of public opinion reads like a throwback of today.

Then as now, there were men and women afraid of the future - distrustful of their own ability to meet changed conditions, shortsighted in their "dog-in-the-manger" conception of their local interests. They were afraid of democracy, afraid of the trend toward unity, afraid of thirteen colonies becoming one nation.

The crucial votes, the record tells us, were extremely close. I have always been proud that my great-great-grandfather, Isaac Roosevelt,

and my own and my wife's kinsman, Robert Livingston, voted for the Constitution and with the "undefined and expanding" future.

What their votes and the votes of many men like them gave us were only the words of a document -- an outline of a form of government. To become a workable instrument of government those words needed men as great as themselves.

The Constitution does not and cannot work by itself. It depends upon the men who sit and judge its meaning, the men who give it life.

Great statesmen alone have made it a great Constitution, they alone can keep it such.

The Constitution -- the same group of words -- frankly has varied from time to time in its adequacy as an instrument of government according to the adequacy of the statesmanship of the judges who from time to time have administered it.

Much of our present day reverence for the Constitution derives, I am sure, from the magnificent administrative start it was given.

History is already certain that John Marshall was a great judge. He administered the Constitution so that the nation could get under way. Refusing to yield to meretricious claims of state rights, he built a nation by his broad interpretation of the powers granted to the infant government.

The men who administered the Constitution in the period from the death of Marshall to the Civil War were, in total, not adequate to its administration. They dammed up social forces seeking to find a natural equilibrium. They were unequal to our first slavery crisis -- our agrarian slavery crisis -- and they put shackles upon the national government as an instrument of the will of the people which only a Civil War could strike away. The South and the whole nation are still expiating the cost of their inadequacy.

For a generation after the Civil War the men administering the Constitution met boldly the problems of the new growth of industry.

But the Court swung back. The forty-two years from the Income Tax Cases of 1894 to the no man's land Minimum Wage Case of 1936 was

a period of inadequacy of Constitutional administration matched only by the period that brought on the Civil War.

Blindly, for instance, the temporary majority of the Court thwarted the natural growth of forces which could have averted our second slavery crisis -- the wage-slavery crisis of modern industrialism.

Blindly for thirty years it crushed every one of what might have been an imperceptibly gradual series of steps toward collective bargaining.
Judges who
History will tell that the ~~four~~ ^{judges who} wrote onto the books -- over dissenting opinions -- such majority opinions as *Adair v. United States*, *Coppage v. Kansas*, and *Hitchman Coal Co. v. Mitchell*, were just as blindly dangerous to society as the temporary majority who wrote the *Dred Scott* decision.

Thirty years' development of labor organizations cannot be done in five without boiling over at some points. Sit-down strikes, however unjustifiable, were an almost predictable release of the pent-up energy

of the labor movement which had been compressed and stored by a sit-down
of the majority of the Supreme Court over thirty years. [That this did not
need to be on any grounds of law and logic, that the spirit of Marshall
and Waite could have found a way, is today perfectly obvious when we read
the dissenting opinions during this period of Oliver Wendell Holmes,
Benjamin Cardozo and their fellows.]

I am glad to say that in my opinion we have come through the darkness
and are now at the beginning of another great constructive period of
constitutional administration. I believe that the Courts are answering
the call of Justice Cardozo: "the law has its epochs of ebb and flow".
One of the flood seasons is upon us. Men are insisting, as perhaps never
before, that law shall be made true to its ideal of justice. Let us
gather up the driftwood and leave the waters pure."
Today Constitution Day 1938, I should like to think of as Cardozo
Day. He was my friend as he was yours.

He was the friend of the Constitution, for he sought to make it an instrument for progress by translating into law the "social and economic forces that clamor for expression."

He found it "more important to make law consistent with what men and women really and truly believe and do than with what judges may at times have said in an attempt to explain and rationalize the things they have themselves done." [¶] He would not imprison a vast continent in the past.

These past 18 months the Supreme Court has [cut the timber and] laid out the beginning of ~~the~~ ^{a new} ~~national~~ road to unity and progress.] The decisions of this period are a tribute to the ingenuity of the Supreme Court and the statute-drafters alike. Both have shown the willingness and the ability to serve progress within a

patchwork of outworn precedents half-overruled but half left like
driftwood across our course.

But the layman will wonder why all this ingenuity has been
necessary. Why do we have to steer this tortuous course between
driftwood from old wrecks?

Why do we have to have complicated laws to circumvent the
remnants of outmoded decisions when simpler laws could make for
better understanding and easier administration?

Why cannot the Courts, as they administer the Constitution,
recognize a frank duty when they change a decision to wipe out all
traces of it which unnecessarily complicate the future course of the
law?

Why cannot the Court, as it enters this new phase of con-
stitutional development, give itself the same clean sheet on which to
write its new page in constitutional history that circumstances gave to

✓ John Marshall.

The overruling this year of a 96-year old case, already

closely hemmed in on every side, recalls the overruling a year ago of the earlier minimum wage cases. It lends substance to the hope that decisions obstructing progress will not only be turned aside partially or temporarily, but will in appropriate situations be expressly overruled. This is indeed to "gather up the driftwood and leave the waters pure."

Today the courts of our country have the opportunity to carry forward the decisions of the past eighteen months and thus to make the Constitution an adjustable instrument of modern democratic government. The working of democratic institutions -- the ability of democratic institutions to adapt in time -- is in large part in their keeping.

Far-seeing men know only too well the strains upon our way of life of a war abroad and its inevitable economic consequences. It will take cool judgment for our people to appraise the repercussions of economic change in other lands. And only a people completely convinced -- at the bottom as well as at the top -- that their system of government can be defended on its best serves their social and economic interests ~~would~~ have such judgment.

It has become one of the elements of our own self-protection
that our law will permit the forces of social justice within our own
borders to reach such an equilibrium -- in time.

The state of the law -- the state of our sense of social
justice -- have become almost as important items in our scheme of
national defense as armaments themselves. They must be right --
in time.

I hope and believe that the courts of today understand the
need -- and the urgency of the time and place -- as the members of the
Constitutional Convention at Poughkeepsie one hundred and fifty years
ago understood the urgency of their time and of their place.

I hope and believe that the judges of today will follow Justice
Holmes' advice that "Constitutional law, like any other mortal contrivance,
has to take some chances."

I hope and believe that they will let us take the risks of life --
and of survival.

I hope and believe -- for our sake and the sake of the world --
that they will make the Constitution safe for democracy.

Draft

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You and I knew today that it was this proposal which won final adherence by a small margin and more than that -- that this proposal of full faith and confidence was in fact carried out by the Congress of the United States, ^{and} ^{it} ^{is} ^{now} ⁱⁿ ^{force}, ^{and} ^{it} ^{is} ^{now} ⁱⁿ ^{force}.

I do not know that it is necessary to elaborate on this parable or text. It is perhaps sufficient for me to say that when in almost every generation between 1788 and 1938 the American people have been faced with similar decisions, they have in the long run ~~swung back to the ideal of~~ ^{XAILED THIS "} full faith and ^{" integrity and safety of the} confidence in the national concept.

It required great patience between 1783 and 1788 to bring home the realization that thirteen separate colonies, become thirteen separate states, could not survive as thirteen separate nationalities. Leadership toward the thought of a united nation had to be patient and was. *Patience of leadership combined with patriotic has always won.* Once ratified the Constitution presented the outline of a form of government. To become a workable instrument of government its words needed men in every succeeding generation to administer it as great as the men who wrote it.

And the greatest of them have been the men who with—
patience have sought to make the Constitution workable in
the face of the new problems and conditions ~~they~~ ^{that} have faced
the nation from year to year.

Yes, the greatest of them have been those who have not said - "it will not work; it cannot be done; it must be changed" - but rather those who have applied to the Constitution of the United States the spirit of full faith

and confidence which has come down to us from the Convention
which met ~~in~~^{at} ~~Fremont~~ in the Summer of 1788.

In a world of hate, in a nation which has not yet fully taken unto itself the spirit of the good neighbor, let us remember in every state and in every community that progress ends unless America redeems the full faith and confidence in its national destiny.
