

# Saturday Night Advice for U.S. Voters Next Tuesday (1940)

*John Q. Barrett\**

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On November 2, 1940, the Saturday before Election Day, Robert H. Jackson, the Attorney General of the United States, delivered the principal speech at a political meeting outside of New York City.

That year featured a presidential election that Jackson and many believed would be close and, for the Democratic Party, possibly a defeat: President Franklin D. Roosevelt, seeking an unprecedented third term, was on the ballot against Republican Party nominee Wendell Willkie.<sup>1</sup> Many races for the United States House of Representatives and the United States Senate, where the Democrats held majorities, also were tight contests.

Speaking that evening at the Saunders Trade School (today the police station<sup>2</sup>) in Yonkers, New York, and by radio to a national audience, Jackson delivered words that were both specific to his time and applicable to elections generally.<sup>3</sup> He spoke about the Republican nominee:

In this election, every citizen must vote as if that vote alone would decide the election. If any of your friends tell you that they intend to vote for Willkie, ask them to stop and think seriously about the consequences of such an act. What

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For an archive of selected Jackson List posts, many of which have document images attached, visit [www.stjohns.edu/academics/graduate/law/faculty/profiles/Barrett/JacksonList.sju](http://www.stjohns.edu/academics/graduate/law/faculty/profiles/Barrett/JacksonList.sju).

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<sup>1</sup> See HAZEL ROWLEY, FRANKLIN AND ELEANOR: AN EXTRAORDINARY MARRIAGE 239-40 (2010).

<sup>2</sup> See [http://saunders.ypschools.org/site\\_res\\_view\\_template.aspx?id=92dcc45b-24f9-414f-8c8c-7e905642ef97](http://saunders.ypschools.org/site_res_view_template.aspx?id=92dcc45b-24f9-414f-8c8c-7e905642ef97).

<sup>3</sup> This account is based on my effort to merge as logically as possible quotations from two next-morning newspaper reports that are not fully consistent. See Associated Press report, *Jackson Pleads for Roosevelt*, WASH. POST, Nov. 3, 1940, at 10; *Roosevelt Needed, Jackson Declares*, N.Y. TIMES, Nov. 3, 1940, at 41.

do they really know about Willkie? They know only what the advertising experts have told them. They know only that because he owns some farms in Indiana, he has been offered as a friend of the farmer; that because he had some summer jobs in factories as a youngster, he is being paraded as a friend of labor; that because he was a lawyer and lobbyist for a big utility system, he is being hailed as a business executive.

Jackson, speaking at a time when global war was approaching the United States, also addressed foreign policy:

[A]s a result of his brilliant handling of America's foreign affairs, President Roosevelt today is feared in some capitals, beloved in others, respected throughout the world.

Nobody—no thinking person—can in good conscience vote for Willkie unless he knows what his foreign policy will be. What do they really know about Willkie? They know only what the advertising experts have told them. Anyone who intends to vote for Willkie had better ask himself what kind of man Willkie would be on the cold morning after election, after the honeymoon of election promises is over.

Jackson questioned whether Willkie would be able, even if he wanted to, to continue Roosevelt's foreign policy. That, Jackson said, was unknown, as was whether Willkie

would be able to control the financial and business powers behind him who might have their own selfish ideas on what our foreign policy should be. We know what Roosevelt's foreign policy is and we know that the country thoroughly approves it. In our national self-interest, we cannot afford to risk a change. We have had a vigorous foreign policy for seven and a half years. Any shift at this time would mean giving up the valuable momentum that has been building up in those years.

Later, after discussing the constitutional freedom (then) of voters to elect a president to a third term, Jackson discussed FDR's domestic policy. The President, Jackson said,

has backed business when Wall Street would not back it [and he has] backed the American home [when] bankers did not even make gestures. President Roosevelt fought the fight for the American farmer as no man has fought it before. Franklin D. Roosevelt was the first President to have a living faith that labor could be trusted to make its own collective bargains with employers, faith that a system could be set up which ultimately, and when it was accepted by employers, would result in the settlement of labor disputes by reason instead of force.

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On Tuesday, November 5, 1940, Roosevelt of course defeated Willkie, winning over 54% of the popular vote and 449 electoral votes.

In the House of Representatives, the Democrats gained five seats, increasing their majority to 267 seats.

In the Senate, the Republican Party gained three seats from Democrats.

One of the defeated Democrats was Senator Sherman Minton of Indiana. In 1941, FDR appointed Minton a judge of the United States Court of Appeals for the Seventh Circuit. In 1949, President Harry S. Truman appointed Minton to the Supreme Court of the United States—where the colleagues he joined included Justice Jackson.