

# Assailing the President's Opponent (1940)

*John Q. Barrett\**

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On October 23, 1940, Attorney General Robert H. Jackson returned to Washington, D.C., from a quick personal and political campaigning trip to his hometown of Jamestown, New York.

At 9:00 p.m. that evening, Jackson gave a fifteen-minute speech on nationwide radio (including WEA, WABC and WEVD).<sup>1</sup> His focus was the Republican Party's presidential nominee, wealthy businessman Wendell Willkie; his opponent President Franklin D. Roosevelt; and issues of the day. Some highlights—

- Willkie was “guilty of placing profits before defense” and conducting “a persistent fight against the conscription of property along with men.”
- “Periods of emergency often bring out the true colors in men. Willkie showed his in this emergency. His first instinct was to protect the profits of his friends. He had indulged in large statements about the need for sacrifice but sacrifice is a privilege he reserves for the majority. To him defense means sacrifice for the many but it means unlimited profits for the few.”
- When legislation was proposed recently “to prevent profiteering [by giving] the Government ... the power to operate, for a fair return to the owners, any manufacturing plant which refused, on reasonable terms, to produce necessary defense goods,” Willkie issued a “blast” against it. Subsequently, he “attempted to claim that he had been

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\* Professor of Law, St. John's University School of Law, New York City, and Elizabeth S. Lenna Fellow, Robert H. Jackson Center, Jamestown, New York ([www.roberthjackson.org](http://www.roberthjackson.org)). An earlier version of this essay was posted to my Jackson Email List on November 5, 2012.

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<sup>1</sup> See *Radio Today*, N.Y. TIMES, Oct. 23, 1940, at 33.

misunderstood.” Still later, he wrote critically in a magazine article, “What could be more revealing than the bald attempt in the United States to seize control of vital American industries in peace-time by the trumped-up logic that the conscription of men on a democratic basis and the arbitrary seizure of certain businesses bear a moral relationship.”<sup>2</sup>

The particular issues Jackson addressed on the eve of the 1940 presidential election were, obviously, of their time and place. But aspects of them—deciding how much to protect or to tax extreme wealth; spotting and understanding moments that reveal true character; figuring out the difference between candidates’ relative commitments to selfish interests and public interests; seeing persistent candidate flip-flopping for what it manifests; [T]rump[!]<sup>2</sup>—are 2012 issues too.

Robert H. Jackson, whose political interests and activities began in his youth and were large parts of his adulthood, had an active presidential voting history. In 1916, when Jackson was twenty-four, he cast his first presidential vote, for President Woodrow Wilson. In 1920, Jackson voted for the Republican Party’s nominee, Senator Warren G. Harding. Jackson soon regretted that vote. His subsequent presidential votes were for John W. Davis in 1924, Governor Al Smith in 1928, Governor Franklin D. Roosevelt in 1932, President Franklin D. Roosevelt in 1936, and President Franklin D. Roosevelt in 1940.

After 1941, when Robert Jackson became an Associate Justice of the Supreme Court of the United States, he stopped voting in presidential elections. Justices may vote, but Jackson chose not to—he continued to have political interests (as each of us should and most of us do), but he felt that it was better for a Justice not to pursue political activities.

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<sup>2</sup> *Jackson Assails Willkie on Defense*, WASH. POST, Oct. 24, 1940, at 10.