



Written by [Steve Byas](#) on May 21, 2024

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## FDR: Enemy of Civil Liberties

In 2018, the Siena Poll of 157 presidential scholars reported that George Washington, Thomas Jefferson, Abraham Lincoln, Theodore Roosevelt, and Franklin D. Roosevelt were the top five U.S. presidents. Siena Poll director Don Levy noted that the four on Mount Rushmore plus FDR were “carved in granite with presidential historians.”

In fact, Franklin Delano Roosevelt is regularly rated among the top five U.S. presidents when professional academics in history or political science are surveyed. In 2015, the American Political Science Association even rated FDR third on its list.

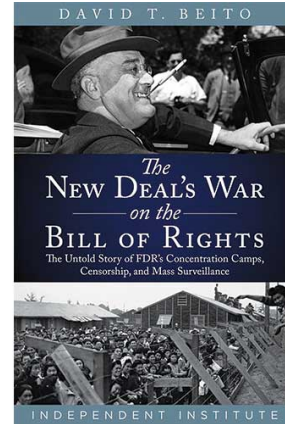
But does Roosevelt deserve such acclaim? Burt Folsom, professor emeritus at Hillsdale College and author of *New Deal or Raw Deal?* certainly disagrees, arguing that David T. Beito’s new book, *The New Deal’s War on the Bill of Rights: The Untold Story of FDR’s Concentration Camps, Censorship, and Mass Surveillance*, “illuminates Roosevelt’s desire for power and his efforts to punish those who tried to thwart him.”

Foundation for Economic Education president emeritus Lawrence Reed takes it even further, writing of Beito’s book, “That an American president would so callously shred the Bill of Rights is a damning indictment — not just of FDR, but of his enablers in the media and academia who covered it up for decades.”

Among the assaults on individual liberty documented in Beito’s book are shocking examples of mass surveillance, suppression of free speech, the quashing of the then-new “free speech medium” of radio, FDR’s concentration camps for Americans of Japanese ancestry, and the criminalization of opposition to American involvement in the Second World War.

At the insistence of patriots such as George Mason and Patrick Henry, James Madison crafted and pushed through a series of amendments that were ratified by the states in 1791, and these 10 amendments are known collectively as the Bill of Rights. The First Amendment explicitly forbids Congress from making any law abridging freedom of speech or freedom of the press. And, since only Congress can make federal laws, the president cannot abridge freedom of speech or the press, either.

But that did not stop FDR from abusing the powers of his office to limit the access of his political opponents to the new medium known as radio. Whatever else one says about Roosevelt, he was a master at using radio to his political advantage through such methods as his famous “Fireside Chats” or informal addresses to the American people from the White House. “It was often said,” Beito writes, “that he had the requisite natural talent to thrive as a radio announcer or commentator” — he just didn’t want his adversaries to use the radio to oppose his policies.





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As Beito explains, the FDR government circumvented the First Amendment when it came to radio by arguing that there were a limited number of frequencies that could be used to broadcast, and because of that, it was considered appropriate for the government to license who would get to use a frequency in a certain geographic area. The problem was that this provided an opportunity for Roosevelt to revoke licenses — and sometimes merely threaten the revocation of a license — to get his political opponents off the air.

While the National Association of Broadcasters jointly announced early in FDR's first term that all broadcasting facilities were available on "an instant's notice" to serve the administration, in August 1933, Federal Radio Commission (FRC) Commissioner Harold Lafount warned stations that they had a "patriotic" duty to reject advertisements from those "disposed to defy, ignore or modify the codes established by the [National Recovery Administration]." Lafount added that "radio stations, using valuable facilities loaned to them temporarily by the government," must "not unwittingly be placed in an embarrassing position because of greed or lack of patriotism on the part of a few unscrupulous advertisers."

Considering that their license was, as Lafount said, on a *temporary loan* from the government, the message was quite clear. Beito writes that Roosevelt sent a message to the Federal Communications Commission (FCC, successor to the FRC) chairman directing him to turn down applications from stations "viewed as hostile to the administration."

Beito notes that the "mere possibility" a license would be terminated usually kept stations in line. Meanwhile, radio networks such as CBS and NBC provided free airtime for FDR's addresses. When journalist Stanley High asked some local station owners why they ran so many administration programs for free, their typical reply was, "We know what is expected of us."

Prominent radio critics of Roosevelt, such as "Radio Priest" Father Coughlin, drew millions of listeners. After Frank McNinch, chairman of the FCC, publicly said that he would "employ every resource" to stop radio from becoming "an instrument of racial or religious persecution," Coughlin — seen as the primary target of the warning — was dropped by several markets, including Chicago. Explaining why, one radio station president said, "Freedom of speech is a precious privilege."

All of this sounds similar to the efforts of the permanent government — often dubbed the "Deep State" — to remove speech they did not like from social-media platforms prior to the 2020 presidential election.



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David T. Beito (The New Deal's War on the Bill of Rights)

## **Roosevelt Versus Freedom of the Press**

Roosevelt also targeted those in the print media who opposed him. He even wanted to deploy the Marines to occupy *Chicago Tribune* publisher Robert McCormick's Tribune Tower.

FDR even went after small papers. Beito offers the example of the *Boise Valley Herald*, a small paper in Idaho. Although the owner, Adelbert Cornell, was not particularly conservative, he regularly condemned Roosevelt's violation of civil liberties, criticized the economic regimentation of the National Recovery Administration, and argued that federal income-tax withholding was a burden on the poor. He was also a noninterventionist, and even argued that the U.S. embargo on Japan had provoked the Japanese attack on Pearl Harbor.

Unlike with the suppression of dissenting views on the radio, the Roosevelt administration could not just pull the "license" of the newspaper, because newspapers were not licensed by the federal government. What the government could do, however, was pull the paper's second-class mailing rights. Cornell responded by getting his papers delivered by hand, mostly by members of his family. He also sent copies to out-of-town addresses, without a return address, to avoid detection by the post office. Using humor, Cornell suggested he could collect many of his articles that the Roosevelt administration considered seditious, as they might be "valuable to writers who wish to avoid the pains and penalties of the law, as a hand-book of forms of what 'not' to write for publication."

In addition to questioning the loyalty of those who opposed him, FDR ordered FBI Director J. Edgar Hoover to monitor the America First Committee (AFC), an organization that — before Pearl Harbor led to its closing up shop — boasted 800,000 members in 650 chapters, including prominent Americans such as Walt Disney and future U.S. presidents Gerald Ford and John F. Kennedy. Not content with insinuating that the committee was "soft" on Nazi Germany, Roosevelt ordered the Justice Department in November 1941 to convene a grand jury to investigate the money sources of the AFC.



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Beito carefully documents other examples of FDR's violations of individual liberty, but perhaps the most egregious was the internment of roughly 120,000 persons of Japanese ancestry, most of whom were American citizens. Many professional historians attempt to deflect criticism of Roosevelt himself, blaming his subordinates, but Beito demonstrates conclusively that Roosevelt was the driving force behind the internment.

Certainly, whatever else may be said about Franklin D. Roosevelt, he was no civil libertarian, and Beito makes the case that he should not be on the short list of America's greatest presidents.



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