



# President Roosevelt versus the U.S. Supreme Court!!

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**" a threefold cord is not quickly broken"** (Eccles. 4:12).

The Founding Fathers of the U.S. gave our country the best written Constitution in the history of the world. In the Constitution, power was divided among 3 branches of government: namely the Executive, the Legislative and the Judicial.

Each branch of government was held in check by this tripartite system of checks and balances.

## The 3 Branches of Government

### White House



The White House represents the Executive branch of government with the President as chief Executive.

### Congress



The Legislative branch is called Congress from the Latin word CONGREGATION. It consists of 2 houses: the Congress and the Senate.

### Supreme Court



The Supreme Court of 9 judges represents the Judicial branch. The judges are nominated by the President; approved by the Senate, and serve for life or until retirement.

Each serving member of the 3 branches of government takes an OATH on the BIBLE to SUPPORT and DEFEND the CONSTITUTION of the United States:

"I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God."

## FDR declared war on the Supreme Court in 1937

The first thing a dictator does when he usurps power is to use the legal apparatus of the country to eliminate all opposition to his regime. Immediately after usurping power on March 4, 1933, Roosevelt introduced his Raw Deal *alias* the New Deal.

He introduced a vast Federal bureaucracy to control every facet of the economic life of the nation. He already had Congress in his pocket through bribes and threats, but the Supreme Court ruled that many of his New Deals were downright unconstitutional. Roosevelt was furious. He was determined to rule like his friends Hitler, Mussolini and Franco.

By 1937, Roosevelt was in his 2nd term and had not appointed one Justice to the Supreme Court. 6 of the Supreme Court judges were over 70 years of age. Roosevelt reminded them of the infirmities of old age and ENCOURAGED them ALL to RESIGN.

To Roosevelt's great disappointment, the judges refused to retire. At that point, Roosevelt decided to bring out his heavy naval guns. In complete secrecy, he told his Cabinet that he proposed to expand the Supreme Court to 15 members by adding a co-justice for every judge over 70. That would give him a majority and make the Supreme Court his obedient servant:

"The FDR plan was simple. The Supreme Court had nine members. Six were over seventy years of age. For each member of the Court who declined to retire at age seventy, Roosevelt proposed that a co-justice be appointed to the Court to serve alongside the older justice. If his bill became law, Roosevelt immediately could make six appointments of co-justices to the Court, and the Court would jump in size from nine to fifteen members. If one of the six justices over seventy chose to retire, the President still would be able to make an appointment to fill his vacant seat on the bench as well as naming five co-justices, but the Court would go up only to fourteen

members. If all the justices over seventy retired, FDR could then fill their vacancies, and the Court would stay at nine members. Either way, through the appointment of co-justices or through the retirement of justices over seventy, Roosevelt would have the authority to place on the Supreme Court persons whose philosophy agreed with his." (*Back to Back: The Duel between FDR and the Supreme Court* pp. 8-9).

## Roosevelt's Court packing scheme killed Senator Robinson

Senator Robinson was Al Smith's running mate in 1928, and if Smith had won the election, Robinson would have been Vice President of the United States.



Senator Joe T. Robinson (1872-1937). A victim of the Roosevelt Reich Court packing scheme.

Senator Joe T. Robinson of Arkansas was the Senate Majority leader in 1937. He was *ordered* by Roosevelt to have the Court packing Bill passed in the Senate . . . at all costs.

Robinson was 64 years old and had a heart condition. The hearings on the Bill began in the Senate on July 6, in the stifling heat of Washington City.

Robinson pulled out all stops to pass the Bill. He even invoked a seldom-used rule of the Senate that limited debate to 2 speeches on one subject per day. Then he forced the Senate to adjourn at the end of each day, instead of recessing, thereby limiting debate on the Bill, and preventing a filibuster.

On July 14, Robinson died of a heart attack in his home near the Senate building.

"ALMOST FROM the beginning of the Senate debate on the Court bill a heat wave had held the eastern half of the nation in its stifling grasp. By Sunday, July 11, the death toll had reached one hundred and fifty persons, twenty-five of them in the New York city area. In Washington the temperature hovered at ninety-five degrees without promise of relief. Two

persons died Monday from the heat; one on Tuesday. Thousands of persons slept on beaches or in parks, wherever they hoped to find some relief from the heat.

The heat was a bother to Joe Robinson. Now sixty-four years old and with a heart condition that had lately been giving him difficulty, he was decidedly uncomfortable as the heat wave enveloped his massive bulk. But he ignored it as best he could. He had a job to do and he intended to see that it was done. For fourteen years he had been leader of the Senate Democrats. He was proud of that tenure, proud of his record of party loyalty, proud of his ability to produce the needed votes from the Senate when he must." (*Back to Back: The Duel between FDR and the Supreme Court*, pp. 244-245).

## The death of Senator Robinson killed Roosevelt's Court packing scheme!!

The 15 member Court packing scheme died with Senator Robinson. Roosevelt did not abandon his scheme of packing the Court however with Justices who shared his philosophy. His second term was up in 1940, and George Washington established the precedent of not serving more than two terms.

Roosevelt ignored the precedent set by Washington and ran for a THIRD term. He ran on the slogan that he was the ONLY one who could keep the U.S. out of the war in Europe....Then . . . oh happy coincidence . . . Japan attacked Pearl Harbor and the U.S. was at war.

In 1944, Roosevelt ran for an unprecedented 4th term. His latest campaign slogan was that he was the only one who could win the war for the U.S. By serving as President for 12 years, Roosevelt was able to appoint 8 Justices to the Supreme Court.

## Only George Washington appointed more Justices to the Supreme Court!!

Obviously the first President had the opportunity of appointing more Justices because the Constitution began with him. Washington appointed 11 Justices and Roosevelt came in a close second with 8 appointments. Had Roosevelt served out his 4th term he would have appointed a grand total of 9 Justices!!

## The 2nd Amendment is the Final Target of the Supreme Court!!

Amendment II

**"A well regulated Militia, being necessary to the security of a free State, the right of the PEOPLE to keep and bear Arms, shall not be infringed."**

No matter how GREAT the Constitution; unless it is backed up by an armed citizenry it is powerless.... The world is full of would be dictators like Roosevelt, Hitler, Mussolini, Franco etc., etc., who are lying in wait for an opportunity to STEAL your dearly won freedoms.



Roosevelt created the Pentagon as a counterfeit U.S. "armed forces."

The militia or ARMED FORCES of the U. S. are the ARMED PEOPLE of the U.S. or every able bodied ARMED man or woman who loves their country and its Constitution.

The ONLY qualification that you need to be AN ARMY OF ONE and serve in the ARMED FORCES of the U.S. is to be an ARMED PERSON and to love your country and its God given Constitution.

Roosevelt created a false militia or counterfeit U.S. "armed forces" and it is called the Pentagon.

This way the Pentagon can tell the Supreme Court Judges that the 2nd Amendment is OBSOLETE because the militia is now the STANDING ARMY maintained by the *professional* military!!

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## References

Baker, Leonard. *Back to Back: The Duel Between FDR and the Supreme Court*. The Macmillian Co., New York, 1967.

Weller, Cecil Edward Jr. *Joe T. Robinson: Always a Loyal Democrat*. University of Arkansas Press, 1998.

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[Back to Main Menu](#)