

Constitution Invoked To Solve Bank Crisis

When President Franklin Delano Roosevelt took office March 3, 1933, more than 25% of the American workforce was officially unemployed, banks and businesses were falling like dominoes, and the nation was enmired in depression, both physically and in spirit. FDR moved instantly and vigorously to restore confidence in the U.S. banking system, and to set the basis for reviving the economy. Under his bold leadership, this was the most dense period of executive action in U.S. history, and represented the first steps to reviving the principle of the General Welfare in the U.S. government.

On March 5, FDR issued two Executive Orders. One called Congress into a special session on March 9; the second declared a National Banking Holiday, from March 6 to March 9, and gave special powers to the Secretary of the Treasury to prevent transactions in gold and foreign exchange. By the time the special session began, a draft Emergency Banking Act had been prepared for presentation.

The Banking Act set up three categories of banks: Sound banks could reopen without problems; troubled banks could be aided either by the Reconstruction Finance Corporation or the Federal Reserve. The RFC would now purchase capital (stock equity) and capital notes of troubled banks, thus capitalizing the troubled banks, without adding to their debts. The Act also authorized the district Federal Reserve banks to discount previously ineligible assets, and to issue new Federal Reserve notes against them, thereby increasing liquidity for the economy as a whole. And it instructed the Comptroller of the Currency to name receivers for the purpose of shutting down banks that were insolvent.

The Banking Act was passed and signed in record time, by 8:37 p.m. on Thursday, March 9. The banks were set to begin opening on Monday, March 13.

But before that occurred, President Roosevelt took an even more effective political action to restore the confidence of the nation: His first Fireside Chat, held Sunday night, March 12, drew an estimated audience of 60 million Americans.

On Monday, March 13, many banks did reopen, and by March 15, fully 70% of the nationally chartered banks were open for business, without needing aid from the RFC.

In this current period—where the breakdown of the financial system globally dwarfs the crisis which the world faced in 1933—the U.S. does not have a President who is willing to use his Constitutional powers to defend the General Welfare, by

carrying out the banking reorganization which FDR did. Thus, similar measures cannot be taken. However, it is of critical importance that Americans once again comprehend the Constitutional principles which permitted FDR to take the actions he did, and which would permit the Congress to exert its responsibility, for example, in passing the Homeowners and Bank Protection Act.

Through the Preamble to the Constitution, and the specific powers allotted to Congress, the Federal government has not only the right, but the obligation to provide a functioning credit system, which will service the general welfare for our nation's citizens and their posterity. Our Constitution puts men before markets. In that spirit, we reprint FDR's Fireside Chat of March 12, 1933, issued 75 years ago.

FDR's First Fireside Chat

I want to talk for a few minutes with the people of the United States about banking—with the comparatively few who understand the mechanics of banking but more particularly with the overwhelming majority who use banks for the making of deposits and the drawing of checks. I want to tell you what has been done in the last few days, why it was done, and what the next steps are going to be. I recognize that the many proclamations from State Capitols and from Washington, the legislation, the Treasury regulations, etc., couched for the most part in banking and legal terms, should be explained for the benefit of the average citizen. I owe this in particular because of the fortitude and good temper with which everybody has accepted the inconvenience and hardships of the banking holiday. I know that when you understand what we in Washington have been about I shall continue to have your cooperation as fully as I have had your sympathy and help during the past week.

First of all, let me state the simple fact that when you deposit money in a bank, the bank does not put the money into a safe deposit vault. It invests your money in many different forms of credit—bonds, commercial paper, mortgages and many other kinds of loans. In other words, the bank puts your money to work to keep the wheels of industry and of agriculture turning around. A comparatively small part of the money you put into the bank is kept in currency—an amount which in normal times is wholly sufficient to cover the cash needs of the average citizen. In other words, the total amount of all the currency in the country is only a small fraction of the total deposits in all of the banks. What, then, happened during the last few days of February and the first few days of March? Because of undermined confidence on the part of the public, there was a general rush by a large portion of our population to turn bank deposits into currency or

gold—a rush so great that the soundest banks could not get enough currency to meet the demand. The reason for this was that, on the spur of the moment, it was, of course, impossible to sell perfectly sound assets of a bank and convert them into cash, except at panic prices far below their real value.

By the afternoon of March 3, scarcely a bank in the country was open to do business. Proclamations temporarily closing them in whole or in part had been issued by the Governors in almost all the states. It was then that I issued the proclamation providing for the nation-wide bank holiday, and this was the first step in the Government's reconstruction of our financial and economic fabric.

The second step was the legislation promptly and patriotically passed by the Congress, confirming my proclamation and broadening my powers, so that it became possible, in view of the requirement of time, to extend the holiday and lift the ban of that holiday gradually. This law also gave authority to develop a program of rehabilitation of our banking facilities. I want to tell our citizens in every part of the Nation that the national Congress—Republicans and Democrats alike—showed by this action a devotion to public welfare and a realization of the emergency and the necessity for speed that it is difficult to match in our history.

The third stage has been the series of regulations permitting the banks to continue their functions to take care of the distribution of food and household necessities and the payment of payrolls.

This bank holiday, while resulting in many cases in great inconvenience, is affording us the opportunity to supply the currency necessary to meet the situation. No sound bank is a dollar worse off than it was when it closed its doors last Monday. Neither is any bank which may turn out not to be in a po-



Franklin D. Roosevelt Library
President Franklin Roosevelt holding one of his famous "Fireside Chats" with the American people, in the depths of the Depression, April 1935.

sition for immediate opening. The new law allows the twelve Federal Reserve banks to issue additional currency on good assets and thus the banks that reopen will be able to meet every legitimate call. The new currency is being sent out by the Bureau of Engraving and Printing in large volume to every part of the country. It is sound currency because it is backed by actual, good assets. A question you will ask is this: Why are all the banks not to be reopened at the same time? The answer is simple. Your Government does not intend that the history of the past few years shall be repeated. We do not want and will not have another epidemic of bank failures.

As a result, we start tomorrow, Monday, with the opening of banks in the twelve Federal Reserve Bank cities—those banks which on first examination by the Treasury have already been found to be all right. This will be followed on Tuesday by the resumption of all their functions by banks already found to be sound in cities where there are recognized clearinghouses. That means about 250 cities of the United States.

On Wednesday and succeeding days, banks in smaller places all through the country will resume business, subject, of course, to the Government's physical ability to complete its survey. It is necessary that the reopening of banks be extended over a period in order to permit the banks to make applications for necessary loans, to obtain currency needed to meet their requirements, and to enable the Government to make common sense checkups.

Let me make it clear to you that if your bank does not open the first day you are by no means justified in believing that it will not open. A bank that opens on one of the subsequent days is in exactly the same status as the bank that opens tomorrow.

I know that many people are worrying about State banks not members of the Federal Reserve System. These banks can and will receive assistance from member banks and from the Reconstruction Finance Corporation. These state banks are following the same course as the national banks except that they get their licenses to resume business from the state authorities, and these authorities have been asked by the Secretary of the Treasury to permit their good banks to open up on the same schedule as the national banks. I am confident that the state banking departments will be as careful as the National Government in the policy relating to the opening of banks and will follow the same broad policy.

It is possible that when the banks resume, a very few people who have not recovered from their fear may again begin withdrawals. Let me make it clear that the banks will take care of all needs—and it is my belief that hoarding during the past week has become an exceedingly unfashionable pastime. It needs no prophet to tell you that when the people find that they can get their money—that they can get it when they want it for all legitimate purposes—the phantom of fear will soon be laid. People will again be glad to have their money where it will be safely taken care of, and where they can use it con-

veniently at any time. I can assure you that it is safer to keep your money in a reopened bank than under the mattress.

The success of our whole great national program depends, of course, upon the cooperation of the public—on its intelligent support and use of a reliable system. Remember that the essential accomplishment of the new legislation is that it makes it possible for banks more readily to convert their assets into cash than was the case before. More liberal provision has been made for banks to borrow on these assets at the Reserve Banks, and more liberal provision has also been made for issuing currency on the security of those good assets. This currency is not fiat currency. It is issued only on adequate security—and every good bank has an abundance of such security.

One more point before I close. There will be, of course, some banks unable to reopen without being reorganized. The new law allows the Government to assist in making these reorganizations quickly and effectively and even allows the Government to subscribe to at least a part of new capital which may be required.

I hope you can see from this elemental recital of what your government is doing, that there is nothing complex, or radical in the process. We had a bad banking situation. Some of our bankers had shown themselves either incompetent or dishonest in their handling of the people's funds. They had used the money entrusted to them in speculations and unwise loans. This was of course not true in the vast majority of our banks, but it was true in enough of them to shock the people for a time into a sense of insecurity, and to put them into a frame of mind where they did not differentiate, but seemed to assume that the acts of a comparative few had tainted them all. It was the Government's job to straighten out this situation and do it as quickly as possible—and the job is being performed.

I do not promise you that every bank will be reopened, or that individual losses will not be suffered, but there will be no losses that possibly could be avoided; and there would have been more and greater losses had we continued to drift. I can even promise you salvation for some, at least, of the sorely pressed banks. We shall be engaged not merely in reopening sound banks but in the creation of sound banks through reorganization.

It has been wonderful to me to catch the note of confidence from all over the country. I can never be sufficiently grateful to the people for the loyal support they have given me in their acceptance of the judgment that has dictated our course, even though all of our processes may not have seemed clear to them. After all, there is an element in the readjustment of our financial system more important than currency, more important than gold, and that is the confidence of the people. Confidence and courage are the essentials of success in carrying out our plan. You people must have faith; you must not be stampeded by rumors or guesses. Let us unite in banishing fear. We have provided the machinery to restore our financial system; it is up to you to support and make it work. It is your problem no less than it is mine. Together we cannot fail.