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LEROY COLLINS AND LEGISLATIVE INTERPOSITION:

A PORTRAIT OF EMERGING MODERATION IN GOVERNATORIAL POLITICS

James Anthony Schnur

University of South Florida
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POLITICS

After the United States Supreme Court rendered its unanimous decision in the May 1954 *Brown v. Board of Education of Topeka* case, many Deep South politicians sought to delay integration by embracing the concept of "massive resistance". Chief Justice Warren asserted that the equal protection of the laws provided for by the Fourteenth Amendment prevented the constitutional establishment of separate public schools based upon race. Southern governors and legislators immediately contended that the Warren Court wantonly usurped powers delegated to the states. But when LeRoy Collins became Florida's thirty-third Governor since statehood, he defended the system of federalism inherent to American politics. During Collins's governorship from 1955 to 1961, Florida did avoid much of the violence associated with militant segregationists throughout Dixie. However, Florida joined other Southern states in adopting an interposition resolution. By examining Collins's efforts to impede the passage of an interposition resolution in the legislature, an emerging trend towards moderation in his gubernatorial statecraft may be observed.

LeRoy Collins, like most Florida governors of this century, inherited a dual system of schools which originated in the Bourbon Era following the Compromise of 1877. Although Florida's governors and legislative bodies appropriated sufficient funds to build new schools and provide social services during Republican Reconstruction, Bourbon Democrats believed
that railroad construction, capital investment, and a reduction in taxes should take precedence over social needs. At the 1885 constitutional convention, Bourbon leaders attempted to legally provide for separate and equal schools, a move unheard-of in Reconstruction Era documents. Article XII, Section 12 of the final draft of the 1885 constitution legitimized school segregation.

A monumental Supreme Court decision in 1896 and statutes subsequently enacted in Tallahassee reinforced constitutional segregation. In Plessy v. Ferguson the Supreme Court upheld Jim Crow laws by claiming that "separate but equal" facilities did not infringe upon the equal protection of the laws guaranteed by the Fourteenth Amendment. By 1939, the legislature enacted statutes providing for: separate private, public, and parochial schools, as well as postsecondary institutions, based upon race; the assignment of white and black teachers only to schools with pupils of the same race; and the prohibition of integrated summer schools or institutes for teachers. Indeed, the only statutory exception of legislated segregation in Florida's dual school systems was a provision permitting boards of public instruction to hire white supervisors to oversee black schools and teachers.

The Supreme Court's decision in Brown v. Board of Education of Topeka threatened the institutionalized segregation found in Florida's schools. The justices asserted that dual school systems based upon race violated the Fourteenth Amendment. Southern politicians summarily rebuked the Court, claiming that
the *Brown* decision was a blasphemous invasion of states' rights. Floridians, however, generally reacted to the judgment with moderation due to the state's demography. Compared to neighboring Deep South states, Florida's population included a smaller percentage of blacks, numerous transient residents living along the urbanized peninsula, and a significant number of residents employed in the tourist-based economy.  

But the *Brown* decision did not provide timely redress for the inequities caused by segregation. The Warren Court's verdict failed to answer three important questions: when desegregation would begin, how school systems would be required to comply with the order, and when complete desegregation would be mandatory.  

In response to *Brown*, Attorney General Richard Ervin of Florida filed an *amicus curiae* brief with the Court in 1954. Ervin claimed that the educational system based upon Article XII, Section 12, of the 1885 constitution could not be altered suddenly without detrimental effects on over 650,000 pupils and a budget of nearly $140-million. He added that Section 230.23 of the statutes required physical plant location, construction, and operations to be based upon the constitutionally-mandated dual school systems. Therefore, the immediate abandonment of separate schools would require both extensive planning and significant capital expenditures.  

Although Florida's demographic composition differed from other Southern states, legislators in Tallahassee struggled to maintain racial segregation in schools and other social settings. A year before the *Brown* decision, Senator Charley Johns of Starke
sought to create a legislative investigation committee to combat criminal and gambling interests. Then-Governor Dan McCarty and Senator LeRoy Collins fought the proposal. Johns wanted this committee to have broad investigative powers, but his plan received little legislative support until he designed it to espouse pro-segregationists' sentiments. The legislature passed an act authorizing this committee -- known widely as the Johns's Committee -- to investigate subversive activities in Florida. Policy decisions were made in McCarthyite fashion: closed door sessions, the withholding of preliminary findings, and the forbidding of members to make public statements without the chairman's approval prevented the disclosure of many of the committee's undertakings. Without a doubt, the Johns's Committee would become an impediment to integration efforts after the Brown decision.

Governor Dan McCarty died only eight months after his 1953 inauguration, allowing Senate President Charley Johns to assume the governorship until a general election could be held in 1954. Since Senator Collins was a close friend of Governor McCarty, he detested Johns's dismissal of McCarty appointees. According to Tom Wagy's political biography, LeRoy Collins provided strong backing for statewide educational reform since his first term in the legislature in 1935. Collins did not believe that the Johns Administration would continue to advocate integrity in government, as McCarty promised to do. Fearing that rural porkchoppers would undermine Collins's desire to provide equitable
representation and services for burgeoning urban constituencies, he entered the 1954 primary to unseat Johns.

In the 1954 Democratic primary, Johns and Brailey Odham pledged to maintain "separate but equal" facilities, while Collins promised to uphold segregation if it did not conflict with the law of the land. Since Collins received a plurality instead of a majority, a second primary was scheduled between Collins and runner-up Johns. Collins acknowledged that segregation was an essential part of Florida's custom and law; he believed that the state executive must support segregation under the terms of the constitution of 1885. During his campaign, Collins assured Floridians that he would maintain the dual school system through powers accorded to the governorship.

Collins defeated Johns in the second primary and handily won in November. In his inaugural address, Collins attempted to persuade divergent factions to unite and meet the state's growing needs. He asserted that:

Our opportunities call for dynamic and vigorous leadership by all those in public authority. There is no place under our sun for a demagogue. We must discard the false prophets who would array little counties against big counties, section against section, and class against class. We must be united as one people seeking a common destiny in the advancement of all.

But did this message apply to the educational opportunities of blacks?

As governor, LeRoy Collins embraced the concept of federalism, namely, the division of authority between the
national government and the respective states. However, the Brown decision tempered his support of the federal judiciary. In April 1955 Collins addressed the possibility of mandatory segregation by expounding to the legislature:

If, at some later time, it appears that the State will be subjected to harsh treatment in the attempted enforcement of any edict or decision of the Supreme Court in this field and that our position can be aided through the enactment of legislation, then this whole subject will be reviewed in the light of such developments.

Collins signed the 1955 Pupil Assignment Law, demonstrating his commitment to segregation by legal means. Throughout the South, however, politicians began to abandon their passive denial of the Supreme Court's authority, instead advocating "massive resistance". Before long, legislatures throughout Dixie would introduce interposition resolutions in protest of Brown.

Interposition and nullification derived from the tenets of states' rights formulated by Thomas Jefferson and James Madison. To Jeffersonians, the central government was simply created by a compact between sovereign states, with individual states retaining authority to determine the legitimacy of any federal act. Although the Kentucky and Virginia Resolutions of 1798 and 1799 provided the earliest examples of interposition, in protest of the Alien and Sedition Laws, Federalists did continue to enforce these acts.

Three Supreme Court decisions in the early nineteenth century further weakened the validity of legislative interposition.
In the 1803 case of *Marbury v. Madison*, the Supreme Court declared that it alone ultimately determined the constitutionality of federal acts. Six years later, Chief Justice John Marshall invalidated the notion of interposition in *United States v. Peters*. Finally, in the 1816 case of *Martin v. Hunter's Lessee*, the justices asserted that an affirmation of constitutionality by the Supreme Court annuls a declaration of unconstitutionality by any state body. Since interposition might inevitably be followed by nullification and secession, as espoused by John Calhoun as a legal means for the South to withdraw from the Union, any judicial pronouncement regarding secession would necessarily affect interposition and nullification.

By early 1956 Southern legislators introduced interposition resolutions to protest the *Brown* decision. Unlike previous attempts to interpose state authority, these resolutions sought to nullify a Supreme Court decision instead of an act of Congress. In January 1956, the Virginia General Assembly considered an interposition act that passed as a joint resolution within three weeks of introduction. But the state's attorney general realized that Virginians could not legally nullify a Supreme Court decision to delay its implementation. Governor Collins noted that Virginia's legislature simply registered a protest, adding that Virginia permitted blacks to enroll in each of its state universities.

Governor Collins realized that interposition resolutions would neither coerce the Supreme Court nor rescind the *Brown* decision. He believed that Florida should adopt the position of
"gradualism" proposed by Attorney General Richard Ervin in his 1954 amicus curiae brief. Collins possessed the foresight to understand that the custom of segregated facilities could not continue interminably. According to Tom Wagy, Collins did not want to jeopardize his platforms of reapportionment and constitutional revision by publicly claiming that segregation would not last; however, when the Florida Supreme Court permitted him to run for a complete term in 1956, he continued to advocate legal means for preserving segregated classrooms. 23

The 1956 Democratic gubernatorial primary focused on the issue of race. In February 1956, Sumter Lowry advocated that Florida join other states and provide a "united front" and adopt an interposition resolution to demonstrate that Florida was not willing to enforce the Court's decision. 24 Another candidate, Fuller Warren, hoped to become governor, having served a full term in that capacity from 1949 to 1953. Warren contended that interposition could not work unless Lowry would be willing to withdraw Florida from the Union and win the war that would follow. 25 Collins did not enter the contest until March 23, 1956.

On March 11, ninety-six Congressmen signed the "Declaration of Constitutional Principles" -- better known as the Southern Manifesto -- to protest Supreme Court decisions regarding segregation. 26 Governor Collins recognized that Southerners who advocated resistance could imperil Florida's demographic and economic growth. Additionally, he believed that the Supreme Court should not be defied, even if it rendered an unpopular verdict. 27 In a monthly radio and television broadcast on
March 12, Collins addressed the possibility of interposition by saying:

Now if the Legislature of Florida wants to consider the adoption of such a resolution ... this will be its privilege when it next convenes. I don't think that procedure can possibly have sufficient effect to justify the calling of a special (legislative) session. 28

Later in the message, Collins discussed the ramifications of interposition, stating:

Some people have gotten the wrong impression about interposition. It cannot mean, of course, that the State of Florida or any other State can say the decision of the United States Supreme Court is applicable to certain areas but not to Florida or other states. That would be the same as saying that for limited purposes, we will secede from the Union and that question has been settled as we all well know. 29

On March 21, Collins participated in a conference prompted by the March 12 United States Supreme Court decision permitting Virgil Hawkins, a black student, to enroll at the University of Florida Law School. Collins continued to argue that the individual states should devise timetables for integration without excessive federal oversight. Collins praised Floridians for following the proper course, adding that the decision was "repugnant to long established law and an unwarranted invasion of state's (sic) rights." 30

Two days later, Collins entered the race as a pro-segregationist. Sumter Lowry's persisting belief in interposition
and the maintenance of segregation at any cost made race a volatile issue in the 1956 Democratic gubernatorial primary; Collins did not want to hold a debate with Lowry because he feared that Lowry would use such a gathering as a sounding board for his militant segregationist agenda.\(^{31}\) Collins knew the importance of winning the Democratic primary: except for Sidney Catts's victory in 1916 as a member of the Prohibitionist Party, all previous twentieth century Florida governors won the Democratic primary or runoff before assuming the governorship. Candidates spent most of their funds to win the primary because Republican contenders garnered few votes in the general election. During the 1956 campaign, Collins responded to Lowry's aspersions by claiming that Floridians "overwhelmingly" opposed integration, and he would support this "firmly and squarely" with tactful leadership if re-elected.\(^{32}\) Although Collins hoped to maintain dual schools if he won a second term, he refused to support segregationist overtures such as interposition and nullification, according to David Colburn and Richard Scher.\(^{33}\) Instead, his resounding victory in the primary indicated that Floridians valued economic development and a moderate stance on the race issue over pugnacious demagoguery.

Once Collins secured victory in the Democratic primary, he again concentrated on the state's affairs. The Board of Control, forerunner to the State University System, published an alarming report entitled *Study on Desegregation*. This work evaluated the demographic composition and facilities at the state's three universities: University of Florida, Florida State
University and Florida Agricultural and Mechanical University. An appendix to the report included surveys of white and black high school seniors. Overwhelmingly, white respondents either believed that blacks should be legally denied admission to white universities, or not be admitted under any circumstances, regardless of any Court decisions; whites residing in rural counties generally hoped to maintain segregation more adamantly than their urban counterparts. Black participants, on the other hand, stated that they should be admitted either immediately, or after a reasonable period of time. Thus while Collins received a majority in the Democratic primary, he did not necessarily receive a mandate on how to proceed with desegregation.

The legislature convened for an extraordinary session in the summer of 1956. Legislators focused on the topic of race relations, and Collins feared that an interposition resolution might be proposed. He knew that rural porkchopper districts constituted a majority in the malapportioned legislature, and a high degree of factionalization prevented his Democratic colleagues from viewing the state executive as a party leader. In William Havard and Loren Beth's monograph on the rural-urban chasm in the Florida Legislature, they determined that:

the more extreme types of segregationist legislation depend for their support in Florida on a legislative apportionment which denies to a majority of the population its fair share of legislative seats.

As expected, the house of representatives considered an interposition resolution. Collins, however, invoked a consti-
tutional provision to adjourn the special session as Representative Farris Bryant's resolution neared passage on August 1. Wagy contended that the proposal of legislative interposition, coupled with the Tallahassee bus boycott beginning in May 1956, caused Collins to further re-evaluate his beliefs on desegregation. Collins's faith rested with the Fabisinski Committee, a body created with his blessings to study legal segregation measures. In Robert Akerman's dissertation on moderation in Florida's politics, he claimed that:

Collins ... was determined to prevent interposition from sullying the value of the Fabisinski program. He felt that to couple interposition with that program would undermine its legal effectiveness by showing plainly that the intent of the legislation was to avoid compliance with the Supreme Court decision.

But the legislature did resolve, with Governor Collins's approval, that the Supreme Court "had entered upon a policy of substituting the personal and individual ideas of the members of the court as to what the Constitution of the United States should be." 40

Before Collins adjourned the special session, legislators approved the (Johns's) Florida Legislative Investigation Committee and a stronger Fabisinski Plan. The Johns's Committee tried to prove that the Communist Party acted in complicity by assisting the National Association for the Advancement of Colored People in litigation efforts against the government. Meanwhile, the Fabisinski Committee established its goals in the 1956 "School Assignment Law", namely: to maintain the state's public schools,
determine the best educational interests for Florida's pupils, mitigate hostilities between classes or groups of citizens, abide by both federal and state constitutions, and effect appropriate legislative measures. J. Lewis Hall, a member of the committee, believed that the Supreme Court construed the equal protection clause of the Fourteenth Amendment to provide equal facilities and opportunities, not identical facilities and opportunities.

The 1956 "School Assignment Law", contained in Chapter 31380, Section 2, of the Florida Laws, represented this philosophy embodied by the Fabisinski Committee. County boards of instruction were required to enroll pupils based upon "orderly and efficient administration", effective teaching, and the consideration of "health, safety, education, and general welfare" through attendance zones and bus routes; placement tests could classify students into groups, with the board measuring sociological and psychological factors of pupil placement. Thus, while Brown prohibited classification by race, the Fabisinski Committee argued that it did not forbid states the right to classify by other reasonable bases, such as aptitude and scholastic proficiency.

As Governor Collins addressed the 1957 Biennial Legislature, he anticipated the passage of an interposition resolution. To mollify the legislators, Collins commended the programs approved during the 1956 special session, asserting:

I repeat my conviction that this legislation is the best that any Southern State has devised.
I do not recommend that it be changed or that we
Collins nevertheless acknowledged that the persistence of racial segregation would only hinder Florida's development. He proclaimed that:

Good standards of morality, health, and citizenship, the influence of which is not confined to color lines, do not develop in the child who grows up in a filthy, over-crowded shack under the guidance of illiterate parents. 47

Collins possessed the fortitude to tell Floridians that hatred and violence could not supplant the authority accorded to the Supreme Court to correct social injustice. 48 Although Collins implored the legislature to follow a moderate path, interposition resolutions appeared in both houses on the second day of the session. 49

House Concurrent Resolution 174 immediately passed on a voice vote. This resolution claimed that the legislature would defend the state and federal constitutions against invasions of state sovereignty. The legislators believed that federal powers evolved from a compact between states, and federal powers carried validity only within the context of this compact; since the Supreme Court emerged as a "creature of the compact", they assumed that it could not ameliorate differences between the federal and state governments. 50 The legislators therefore resolved that:

The State of Florida has at no time surrendered to the General Government its right to exercise its powers in the field of labor, criminal procedure, and public education, and to maintain
racially separate public schools and other public facilities;

The State of Florida, in ratifying the Fourteenth Amendment to the Constitution, did not agree . . . that the power to regulate labor, criminal proceedings, public education, and to operate racially separate public schools and other facilities was to be prohibited to them thereby . . .

The Legislature of Florida asserts that whenever the General Government attempts to engage in the deliberate, palpable and dangerous exercise of powers not granted to it, the States . . . are in duty bound to interpose . . . for maintaining . . . the authorities, rights, and liberties appertaining to them. 51

Governor Collins reacted unfavorably as the house of representatives passed the resolution. Although the senate voted down Senate Concurrent Resolution 72, Collins knew that an interposition resolution would surely pass in due time. Colburn and Scher claimed that Collins could not jeopardize his entire legislative program to prevent an interposition resolution from receiving approval in both houses. 52

After the senate voted down the original resolution, a second resolution surprisingly endorsed by Attorney General Ervin reached the floor. Ervin exchanged gradualism for interposition because he believed that the Florida Supreme Court's refusal to uphold a United States Supreme Court mandate admitting Virgil Hawkins to the University of Florida was "an interposition resolution of sorts". 53 Ervin aided the resolution's passage by
stating that it held legal significance, but might convince the Supreme Court that just cause existed to reconsider the Brown decision. 54

After its passage in the senate, Governor Collins sent copies of the resolution to governors and legislatures in each state, as well as to the President, both houses of Congress, and the Supreme Court. Upon forwarding the resolution, Collins added a message stating that:

Under our rules and laws, a resolution of this nature is not subject to approving or disapproving action by the Governor, nor does it have the force and effect of law. I have nevertheless made it clear that I oppose this action to the extent that the same defies the authority of the United States Supreme Court. 55

On the original document, Collins penned:

This concurrent resolution of 'Interposition' crosses the Governor's desk as a matter of routine. I have no authority to veto it. I take this means however to advise the student of government (that I) expressed open and vigorous opposition thereto . . . Not only will I not condone 'Interposition' as so many have sought me to do, I decry it as an evil thing . . . If history judges me right this day, I want it known that I did my best to avert this blot. If I am judged wrong, then here in my own handwriting and over my signature is proof of guilt to support my conviction. 56

Collins decried the resolution's passage, believing that the Fabisinski Plan provided a means of delaying segregation.
without openly defying the Supreme Court's authority. The Fabisinski Committee studied the efficacy of legislative interposition and discovered that similar measures failed in other states. J. Lewis Hall of the Fabisinski Committee concluded that:

those who advocate interposition as a solution to our problems are merely refusing to face the realities of the situation. A decision of the Supreme Court cannot be ignored—it must be recognized. It should not be unlawfully evaded and its effect will not disappear by passage of an interposition resolution or by act of a state legislature that in essence says the decision does not exist.

During the 1957 session, legislators also considered a "last resort" school closing bill. Again, Attorney General Ervin favored passage of this extreme measure, in contrast to the gradualism he propounded three years earlier. Collins and School Superintendent Thomas Bailey opposed this legislation, with Collins vetoing the bill on June 6, 1957; legislators failed to override his veto two days later. This bill reappeared during a special legislative session called by Collins to discuss constitutional reform on September 30, 1957. Collins signed the Little Rock Bill with the intention that it would not be needed. This act called for the closure of any public school requiring the intervention of the federal militia.

Collins's hesitation in signing the bill illustrated the
extent of his conviction to maintain Florida's system of public education. His previous acceptance of segregation conflicted with the possibility that Florida's schools could be closed to prevent integration. At the Southern Governors' Conference on September 23 - - a week before the special session - - Collins spoke about the possibility of a Southerner becoming President. He emphasized that such a Southerner must recognize decisions of the Supreme Court as the law of the land and handle relations in a calm and constructive manner.

To Collins, a Southern candidate who contentiously advocated "massive resistance" would harm the South. Likewise, Collins adduced that circumventing integration through the closure of schools would punish innocent children, not promote the social well-being of the South. In a message to the 1959 legislature, Collins expounded:

I urge you never, never, never set up any plan or device by which our public schools can be closed. When you put a padlock on a school you padlock minds -- the minds of children. Our children are in a very real sense a part of us. But more than this they are our whole hope for the future.

... By the fall of 1957, Collins exuded moderation on the race issue unknown to most Southern politicians. Although the legislature lodged its protest through the enactment of an interposition resolution, much of the violence found in Little Rock -- and throughout Dixie -- did not occur in Florida. Also, Collins's judicious administration of the state government
prevented the usurpation of power by legislative witch-hunts such as the Johns's Committee. At the end of the 1957 legislative session, the Johns's Committee still could not effectively curb N.A.A.C.P. activities and legal assistance to expedite integration. 63

A speech given by Governor Collins on February 1, 1958, indicated a revision of his beliefs since the 1955 inauguration. He spoke at the Jefferson - Jackson Day Dinner, a fund-raiser for the North Carolina Democratic Party. Collins balanced between the preservation of states' rights and the moral treatment of racial minorities by stating:

The two greatest influences now destroying our nation's spirit of unity seem to me to be our failure to achieve an understanding about the segregation problem and to obtain the acceptance of a sound states' rights philosophy . . . Justice can never walk hand-in-hand with legally coerced racial discrimination -- in any part of our land. 64

Collins added that many individuals attacked policies because "states' rights offered an effective smokescreen to conceal their real motives." 65

In his presentation of an opening address at the Southern Governors' Conference in September 1958, Collins called upon other Southern leaders to follow the sensible path of moderation. He did not presumptuously attempt to lecture to his colleagues on how to deal with racial problems; he instead asked them to search for solutions, not scapegoats. 66 He noted that the
Supreme Court provided an essential foundation for the constitutional protections of all Americans. But he added that the implementation of Court decisions must consider the peculiarities of individual communities. Thus, he believed that:

Congressional legislation should provide for facilitating desegregation in individual communities where and when it is feasible. But it also should provide protection against improvident, forced desegregation in communities where and when it is not feasible. Furthermore such a program must include due recognition of, and respect for, the sovereignty of the individual states and their local responsibilities to maintain law and order and to promote the general welfare of all their citizens.67

In conclusion, LeRoy Collins reappraised his beliefs on the institutionalized social segregation of the South. While Collins campaigned as a moderate segregationist in 1954 and 1956, his moral convictions prevented him from denying the supremacy of the federalist system; Colburn and Scher suggested that Collins's emphasis on upholding the law and his attempts to sustain peaceful race relations in Florida quelled staunch segregationists who demanded immediate interposition and nullification measures.68 Thus when Sumter Lowry's 1956 gubernatorial campaign included allegations that the N.A.A.C.P. wanted to desegregate schools in an attempt to destroy the U.S. Constitution, Collins rebuked Lowry and called for moderation.69

Decidedly, Collins's statecraft postponed the passage of an interposition resolution, and the threat of legislative
interposition caused Collins to continually reassess his racial beliefs. Collins evinced an emerging trend towards moderation as his legislative compatriots embraced interposition in defiance of the Supreme Court. Florida's malapportioned legislature -- a legacy of the agrarian hegemony expressed in the 1885 constitution -- embraced the creed that any alleged encroachment by the Supreme Court required an immediate, forceful response. Collins's disdain of porkchopper legislators and his calls for reapportionment corresponded with the opposition he faced by this rural voting-bloc on the issue of interposition. Whereas about one-half of the representatives from urban counties voted against interposition in 1957, only six of forty-seven house members from rural counties rejected the resolution. 70

Florida became the last Southern state to enact such a resolution. Colburn and Scher attributed this delay to Collins's sagacious and progressive leadership. 71 They believed that his sensible avoidance of the demagoguery imputed to fellow governors allowed him to abide by his moral convictions and dramatically protest the resolution's passage in 1957. 72 Colburn and Scher concluded that:

> While the passage of the interposition resolution was a major defeat for his racial policies, it was his only one, and he never allowed it to deter him from his efforts to lead Florida in the direction which he thought best promoted the interest of the entire state, and all of its citizens. 73

Even after its passage seemed imminent, Collins nobly decried the interposition resolution as a threat to federalism
and the Supreme Court's sovereignty. His affirmation of the Court's authority demonstrated a courage lacking among his fellow Southern governors. Robert Akerman summarized that:

(Collins) warned of the futility and danger of defying the Court, as in his comments on interposition... Collins admitted that criticism of the Court was not necessarily wrong, but indiscriminate attacks on the idea of an independent judiciary were wrong.

LeRoy Collins of Florida brought esteem to the governorship. He demonstrated that the governor could bypass the legislature and collegial cabinet and appeal directly to the voters through radio and television broadcasts. After leaving office, Collins assumed the presidency of the National Association of Broadcasters. By 1964, President Lyndon Johnson offered Collins the directorship of the Community Relations Service, an agency created under the 1964 Civil Rights Act. A year later, Executive Director Roy Wilkins of the N.A.A.C.P. addressed that organization's National Convention. He noted that:

We Negroes have come a rough way. We have learned many things not written in books. We have had the help of many a dedicated friend, white as well as black. We now have government with us and, here and there, white Southerners.

Among white Southern politicians of his day, Governor LeRoy Collins truly represented moderation and respect for the law.
FOOTNOTE PAGE


2 Ibid., pp. 15-16.


4 Tomberlin, "Negro and Florida's System", p.73.


6 Ibid., pp. 10-11.


8 Ibid., pp. 8-9.

9 Ibid., pp. 17-18.


12 Tomberlin, "Negro and Florida's System", p. 36.


15 Wagy, Governor LeRoy Collins, p. 61.


17 Ibid.

18 Ibid., p. 243.

19 Ibid., p. 244.


21 Blaustein, Desegregation and the Law, p. 245.

22 Tomberlin, "Negro and Florida's System", p. 133.


25 Ibid., p. 117.


27 Wagy, "A South to Save", pp. 161-162.


29 Ibid., p. 3-4.


31 Wagy, Governor LeRoy Collins, p. 63.


33 Colburn, "Politics of Interposition", p. 64.


38 Wagy, Governor LeRoy Collins, p. 74.


40 Across the Threshold, p. 58.

41 Stark, "McCarthyism in Florida", pp. 15-16.


43 Ibid., p. 6.


47 Ibid.


51 Ibid.

52 Colburn, "Politics of Interposition", p. 68.

53 Southern School News, p. 4.

54 Wagy, "A South to Save", pp. 159-160.

55 Across the Threshold, p. 61.

56 Wagy, Governor LeRoy Collins, p. 88.


58 Ibid.


61 Ibid., pp. 28-29.


65 Ibid., p. 15.


67 Ibid.

68 Colburn, "Politics of Interposition", p. 64.


70 Havard, Politics of Mis-Representation, pp. 17-18.

71 Colburn, "Politics of Interposition", p. 64.

72 Ibid., p. 71.

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74 Akerman, "Triumph of Moderation", pp. 140-141.

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