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A TRIBUTE TO A GREAT MAN: LEROY COLLINS

TALBOT "SANDY" D'ALEMBERTE* AND FRANK SANCHEZ**

LEROY Collins loved politics, and he loved humor. He was especially happy when he could weave the two into a good story. In a weekly column he wrote for the *St. Petersburg Times*, Collins described an event when he and the First Lady were having a formal reception at the Governor's Mansion to honor the Florida Legislature:

Mary Call had a beautiful new dress for the occasion. We were upstairs getting ready to come down and receive our guests and honorees. I had put on my old but freshly pressed tuxedo, with black tie, studs, cuff links and all.

We came out of the bedroom and started down the stairs, side by side, both in our shining best. At the foot of the steps stood Darby, our youngest pigtailed daughter of about six. She fixed her eyes on her mother in that new dress which she had never seen, and exclaimed, 'Oh Mother, you look beautiful!'

Then she looked at me in black and white neatness, and she knew she had to say something good about me too and it couldn't be 'beautiful' so out it came: 'And Daddy,' she said, 'You look so — so clean!'

Well, I know she was thinking very literally, but I have thought since that no nicer thing could have been said about a politician than that.¹

The truth is, many nice things can be said about the late Governor Collins (including that he was a clean politician). The authors feel particularly honored to write a few of those nice things because he touched their lives in many ways and, probably unbeknownst to him, helped shape and define who they are.

Sandy D'Alemberte knew Collins and looked up to him from the time Sandy was a young boy growing up in Tallahassee. Collins' son, Roy Jr., was a close friend of Sandy's, and, like most families of modest means during that period, the clothes that Sandy outgrew were

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1. Collins, *A Governor's Confrontations Can Be Delightful or Disturbing*, *St. Petersburg Times*, June 27, 1988, at 11A, col. 1.

handed down to Roy Jr. Sandy's father served in the military with Collins in World War II. Sandy's mother was in Collins' wedding.

Frank Sanchez was eight years old in 1968 when he first met LeRoy Collins. Frank's mother took him to a Collins rally in Tampa, held during Collins' unsuccessful race for the U.S. Senate. During the rally, Frank held up a "Collins for Senate" sign for nearly two hours. The eight-year-old quickly got caught up in the excitement and energy of the campaign. The climax of the afternoon, however, came when the handsome, silver-haired, statesman-like Collins spotted the young sign-toting campaign worker and walked over, shook his hand, and thanked Frank personally for his support. Collins was the first politician Frank had ever met. Although the meeting lasted less than a minute, Collins had made the boy feel like he was the most important person at the rally. That introduction to Collins would leave a lasting impression on Frank; Collins would become a lifelong role model.

John Popham, a former reporter for the *New York Times*, wrote of Collins:

He had the cultured southern voice similar to Shelby Foote, the Mississippi author who enthralled so many viewers in his commentary on the civil war television series. It wasn't precious mind you. It was just a beautiful rendition of language caressed with affection for the divine gift of the word. . . . He was a very handsome man, moving with grace and charm that left you comfortable because he was so clearly your friend and not a showoff. Not only well-mannered, but quality of the heart was what you sensed in his company.²

Collins also had a wonderful sense of humor and loved telling a good story. Among his favorite stories were those about his early days practicing law.

As a young lawyer, he represented small farmers against large corporate interests, including the powerful railroads. Governor Collins was fond of telling a story about a case in which he represented a cattle farmer whose cows were, for the most part, sad-looking and scrawny. One of the farmer's cows had been killed when it had the great misfortune of being caught on the railroad tracks as a fast-moving freight train was passing. The farmer sued the railroad for damages. During the trial, the farmer testified that this cow came from a great lineage and was of the finest stock, perhaps one of the best in the whole country. It was at this trial that Governor Collins learned a

2. Popham, *A Man of Virtue*, *Chattanooga Times*, Mar. 20, 1991, at A7, col. 1.

fine lesson about breeding and cattle husbandry. Collins said he learned that the best way to breed a fine cow was to cross it with a freight train.

Collins won that trial, but he thought the reason he had been victorious was that the jury had overheard his client talking to Collins in a rather loud tone of voice and saying, "Well, I hope that jury understands that the railroad has all those real lawyers on their side." And so it appeared that the jury did indeed understand.

LeRoy Collins is well known for leading Florida to moderation during the civil rights movement, but his accomplishments are far broader than any one issue. He laid the groundwork for fair legislative apportionment. He organized the first modern system to finance uniform schools. He started the statewide systems of community colleges and of public television. He led the first efforts to broaden the state's economy beyond agriculture, and he started the construction of Florida's interstate highways and the Florida Turnpike. He set the standard for leadership by which every governor since has been measured.

All politicians have, during the course of their political careers, the equivalent of a political bank account—political capital, if you will. During their careers, politicians make deposits into their political bank accounts that come in the form of doing things that are popular, things that people will like, so the people will reward the politicians with popularity. There is nothing wrong with this; some measure of public approval is an important part of the political process and necessary for a good politician to be effective. But if politicians are truly leaders, they also will be willing to make withdrawals from their political bank accounts. Withdrawals of political capital are much more difficult, costly, and sometimes politically fatal. LeRoy Collins was a leader who never feared making withdrawals from his political bank account. He made one such withdrawal during his unyielding fight for the civil rights of blacks and for the end of segregation. As a governor in the 1950s, taking such forward-thinking positions anywhere in the country involved a high degree of political risk; for a governor in the South, taking those positions was political suicide.

To put the time period in context, let's go back to 1957. The country was then in the grip of a constitutional crisis over civil rights. "Eisenhower was trying to uphold the constitution as interpreted by the Supreme Court. Blacks were demonstrating in the streets. Die-hard segregationists were demanding, "Never!" Southern governors were waffling. It's impossible to convey to those who didn't live through those troubled times how desperately serious things were."³

3. *Id.*

The University of Georgia and Georgia Tech were playing in Grant Field. The Southern governors, who were on their way to Sea Island, Georgia for an annual conference, had stopped off to watch this grid-iron classic.⁴ In a misbegotten effort at hospitality, the announcer introduced the governors. A relentless spotlight shined on each as their names echoed over the loudspeakers. One by one, the governors were predictably booed. That is, until Arkansas Governor Orval Faubus was introduced. As if by magic, the fans rose as one with a mighty shout. The shouting did not subside for what seemed an eternity. One governor's aide thought it must have been like this at Nuremberg during Hitler's rise.

Faubus had already captured the national spotlight for threatening to use the power of state government to keep black students out of Little Rock Central High School in defiance of the United States Supreme Court. At Sea Island, Governor Faubus would seek to be elected chairman of the conference. Although the position in normal times was merely a rotated honor, Faubus's election at the 1957 conference would send a message to Eisenhower that Faubus had the support of most Southern governors. To some observers it was—and is to this day—the most serious constitutional crisis since the civil war.⁵

President Eisenhower was concerned about pitting the South and the rest of the nation against each other, but the roar of the crowd at the Georgia/Georgia Tech football game was still reverberating. No governor seemed to want to buck Faubus.

Finally, Florida Governor LeRoy Collins, disregarding his own political fortunes, asked his peers to elect him rather than Faubus. Phil Graham, the late publisher of the *Washington Post*, phoned a Collins aide who was attending the conference. Graham was talking with Eisenhower in the Oval Office on the other line. On yet another line with Eisenhower was his attorney general, Bill Rogers, at the Justice Department. When Collins' aide relayed the news that Collins had won, Eisenhower sent back a message through the publisher of the *Post*: "Tell Governor Collins he has saved the Union."⁶

Back home in Florida, Collins was no less politically fearless. The Legislature was sending Collins the most outrageous segregationist legislation ever conceived, and Collins vetoed all of it. One morning Collins' former law partner and long-time friend, Charlie Ausley, dropped in to see him in the Governor's Office. Charlie told the Gov-

4. Perry, *His Typewriter Was Mightier Than The Sword*, Rome News Tribune, Aug. 4, 1985, at 6A, col. 1.

5. *Id.*

6. *Id.*

error that his popularity was slipping to a dangerously low point and that he needed to take a more moderate stance on the issue of segregation. At the very least, he needed to let one of the segregationist bills become law. Charlie advised his old friend that if Collins didn't moderate his position he would likely not be re-elected.

Collins walked across his office and stared out the window for a minute or two and then turned to face Charlie with the look of a man who was at peace. He said to his good friend, "Charlie, you know, I don't have to get re-elected, but I do have to live with myself."⁷

The segregation and civil rights issues ultimately ended Collins' political career. In 1963, President Johnson named Collins Chairman of the Community Relations Service, a federal agency set up to smooth the way for desegregation. In choosing Collins, the President was reported to have told Collins he was not doing him any favor. In fact, the President warned Collins the position could hurt him politically—and indeed it would. In his capacity as head of that agency, Collins went to Selma, Alabama, where police had attacked earlier civil rights marches. There he orchestrated negotiations between Martin Luther King Jr. and the heavily-armed Alabama police to ensure a peaceful march from Selma. President Johnson said after the march that had Collins not intervened, "the ditches would have been knee-deep in blood."⁸

During the march, Collins was photographed walking with King, Andrew Young, Ralph Abernathy, and King's wife, Coretta Scott King. Florida newspapers prominently displayed the pictures, many failing to report that Collins was there in his official capacity.

In the minds of many Floridians, Collins had gone too far, and they made him pay when he ran for the United States Senate in 1968. The photo of Collins negotiating with King was printed in leaflets and distributed to voters as "evidence" that he had marched with King in Selma. His detractors accused Collins of "libeling" the South in a South Carolina speech. For the first time, Floridians elected a Republican—Ed Gurney—as a United States Senator.

Collins would never again hold elected office. Nevertheless, Collins left his mark on Florida and on the nation, and his defeat was more a loss for the people who were deprived of this great man's leadership than a loss for LeRoy Collins.

Despite the racial crisis that haunted the South, Collins believed that governmental reform was Florida's most important problem.

7. Tallahassee Democrat, Mar. 13, 1991, at 10A, col. 4.

8. *Id.* at 9A, col. 1.

First and foremost on Collins' list of needed reforms was to change the way the Legislature apportioned itself.

When Collins became Governor, Florida had one of the nation's most malapportioned legislatures.⁹ In the House, one representative served 2,199 constituents, but another served 165,028. The population of the smallest senatorial district was 10,413 people; the largest was 495,084. In 1955, approximately eighteen percent of the voters elected a majority in the Senate.¹⁰

Despite the statistical proof of malapportionment, Collins confronted enormous difficulties in his demand for reform. The "Old Guard," a group of senior senators representing rural counties that controlled the legislative process in the upper chamber, vowed to oppose all reapportionment plans that would increase the size of their districts.¹¹ These senators, along with their counterparts in the House, became known as the Porkchoppers. The Porkchoppers saw apportionment reform as a threat to their power over state revenues and patronage—the weapons they used to build and maintain political strength. Even if rural county senators sympathized with the need for reapportionment, they could not support revision and expect to be re-elected. The folks back home would charge them with "selling out" to the big cities.¹²

During the Regular Session of the 1955 Legislature, the Senate blocked all proposals for reapportionment. Collins, citing the constitutional requirement for redistricting, called for an extraordinary legislative session. The session lasted through the excruciatingly hot Tallahassee summer as the deadlocked Legislature grappled with its seemingly insolvable problem. Tempers rose with the temperature. Two reapportionment bills finally passed, but Collins vetoed both. Thereafter, the struggle "settled into a sort of trench warfare."¹³ In the end, the Porkchoppers won the battle. Collins, recognizing he could not succeed, called an end to the special session in September.

In 1957, at the beginning of his second term, Collins tried again to force the Legislature to deal with reapportionment. The Porkchoppers, though, did not intend to forsake their cause. After much legislative maneuvering and stalling, however, a breakthrough in the reapportionment issue came in late summer. The Porkchop gang gathered at an Osceola River fishing camp to consider redistricting propos-

9. T. WAGY, GOVERNOR LEROY COLLINS OF FLORIDA 50 (1985).

10. *Id.*

11. *Id.* at 51.

12. *Id.*

13. *Id.* at 52.

als. The majority at this meeting agreed to add seven senators, four of whom would be from South Florida.¹⁴ Although this proposal offered little to the under-represented remainder of the state, Collins vowed his support if the proposal would include a substantial increase in the House membership to offset the weakened position of the populous areas under the Senate plan. The proposal passed the Legislature, and "Collins led the campaign for ratification. 'We can't get adequate reapportionment until we get better apportionment than we have now,' he argued. The new apportionment plan gives us vastly improved representation for our most underrepresented areas and new legislative strength and leadership for further improvement."¹⁵ This proposal, which was to go before the voters as a constitutional amendment, did not go far. The Florida Supreme Court forbade the referendum from going on the ballot on a technicality.¹⁶

Despite these problems, Collins did not concede defeat on reapportionment. In November of 1959, a new constitutional amendment was on the ballot dealing with reapportionment. Collins again went on the stump. "Applying the political axiom 'half a loaf is better than none,' he argued that increased representation would provide the large counties with more strength for further change."¹⁷ Unfortunately for Collins, nobody was happy with the amendment. The smaller counties feared it went too far; the larger urban counties felt it did not go far enough. "On November 3, 1959, Floridians defeated the amendment. Collins' dream of constitutional reform died."¹⁸

A few months later, Collins said, "somewhere along the line, in some way, some remedy is going to have to come. And if the Legislature does not provide the remedy itself, I think it will be just a matter of time before the Courts are going to step in and find a way to furnish relief." His prediction proved to be accurate. In 1962, the U.S. Supreme Court ruled in the case of *Baker v. Carr* that Tennessee had to reapportion its legislature to reflect population changes. Two years later, *Wesberry v. Sanders* established the principle of "one man, one vote." Also, in 1964, the Court ruled in *Reynolds v. Sims* that geographical diversity could not be considered in reapportioning legislative seats.¹⁹

14. *Id.* at 106.

15. *Id.*

16. "The Florida Supreme Court forbade the referendum on the basis that the linkage of the amendments into a "daisy chain" contradicted the dictates of the state's constitution." *Id.* at 108.

17. *Id.* at 109.

18. *Id.* at 110.

19. *Id.* See also *Reynolds v. Sims*, 377 U.S. 533 (1964); *Wesberry v. Sanders*, 376 U.S. 1 (1964); *Baker v. Carr*, 369 U.S. 186 (1962).

Years later, after Collins left the Governor's Office, he attended a dinner in Washington in which he sat next to Justice Hugo Black. Justice Black asked Governor Collins if he had experienced any serious failures as governor. Collins responded that his biggest failure was his inability to achieve fair legislative apportionment. Justice Black responded, "That was not a failure,"²⁰ and explained that Florida's inability to resolve the reapportionment issue had played an important role in the Court's deliberations in the Tennessee case and in the other cases that followed.²¹ The fight for fair apportionment that Collins started was finally won almost a year after he left office.

Time and time again Collins demonstrated visionary leadership, often by taking political risks in the name of noble—albeit politically unpopular—causes. But he had other qualities that are worthy of mention. One of these qualities was his ability to see beyond the surface of a person or a thing to the potential good or beauty that so often hides deep within. In *Forerunners Courageous*,²² a collection of stories that Collins wrote primarily about frontier Florida, Collins recalls strolling down the beach at his beloved Dog Island with his then six-year-old granddaughter, Jane Brevard Aurell. The two of them walked down the shore, wading in and out of the countless ankle-deep pools of water, looking for shells. Collins wrote of that afternoon:

The world just held the two of us as in our grubby clothes and with our knock-around sticks, we meandered in and out investigating little things, picking up, putting in our bag, or putting back down. What we did, what we said, on occasions like this was just what came naturally, no rules, no inhibitions, no affectations.

As usual, I carried the bag for our treasures and as she found something she wanted to take home and keep she would show it to me eagerly and I would put it away.

On this afternoon she came up once quite excited over a find. With eyes sparkling she held it forth and said, "Granddaddy, here is a beautiful shell."

I replied with some deference, but firmly, "Honey, it is pretty but we don't want to keep that one, it has a hole in it."

She was crestfallen. "But look, Granddaddy, how pretty it is here, and here and here," she kept pointing to other places on the shell where it was indeed pretty. "Don't look at the hole," she insisted.

"Okay," I yielded, "we will take it in." Then she was off and

20. Collins, *In Assessing Candidates, We Seek the Elusive Qualities of Leadership*, St. Petersburg Times, Feb. 1, 1988, at 15A, col. 1.

21. T. WAGY, *supra* note 9, at 110.

22. L. COLLINS, *FORERUNNERS COURAGEOUS: STORIES OF FRONTIER FLORIDA* (1971).

away hunting for another.

On another walk, months later, when I was alone on the beach, I thought again of this experience and it occurred to me that I was looking at Jane Brevard's shell from the wrong end of the telescope. I was seeing only the hole. When I looked from the right end, something much larger loomed into view.

There are many people with holes in their shells—physical defects, mental defects, personality defects. Sadly, it is the nature of so many of us to see only the hole and reject them when usually there is much beyond this that is beautiful. . . .

Consider the matter in an even larger focus. We all know people who have beliefs with which we do not agree. Are we often not prone to see a difference like this as a hole, and allow our whole attitude toward the person to be shaped by our hostile reaction to this one thing? Also, isn't this intolerance the raw-makings of bigotry—and prejudice? . . .

Jane Brevard, I am glad you saw the beautiful parts of that shell and told me not to look so hard at the hole.²³

Collins always had a way of finding and bringing out the best in people. He looked beyond the proverbial hole and found the goodness of a person. Many of us are better people today because of this special gift that Collins had.

Still another quality that helps define this great man is compassion. He wrote the following poem about the black people he knew while growing up:

God help me to see
beyond the tear
that needs drying
also the cause of the crying.²⁴

Politics, to Governor Collins, was not a hobby or a job. It was a means of helping people live better lives. He chose to live his life by a set of principles that rang true for him. He put those principles above politics and rarely, if ever, deviated from them. Collins wrote: "The qualities that to me are of the most importance in judging a political leader are his integrity (faithfulness to the public interest in all actions he takes), his ability to make tough decisions, his administrative competence to get his decisions implemented, and his style or charisma"²⁵

23. *Id.* at 96-98.

24. *Id.* at 93.

25. Orlando Sentinel, Mar. 13, 1991, at 11A, col. 1.

When Collins was a young boy, on Confederate Memorial Day each year people from all over North Florida would gather at a site near Tallahassee called Natural Bridge for an all-day picnic. There was one speech after another and usually a couple of bands played "Dixie," "Suwannee River," and other old songs from the South. Politicians considered this a good time to announce their candidacies for office. In another excerpt from his book, Collins shares his memory of that event and the lesson he learned from watching a proud old man:

I remember one old man in particular who was there every year. . . . Now, this old man would always do something that seemed to us children to be very funny. He had a stick he walked around with and he would go up to one place and put the stick down into the ground a little way. Then with one hand on the top of it and while whistling some little tune, he would dance a jig around his stick singing out, "This is where I stood, this is where I stood." All of us laughed and giggled at him. We thought he was nuttier than a fruitcake

But, you know, I have thought about that old man many times since. He was one of those boys from the seminary who went down there and fought that battle. He was proud of this and he was proud to put his stick down and say, "This is where I stood."

As I grew older, I quickly came to think that he was not senile or crazy at all. In fact, I have found myself hoping that if I manage to live as long as he did, I will be proud like he was to put my stick down and sing and say, "This is where I stood."²⁶

The poet Robert Browning wrote: "A man's reach should exceed his grasp, or what's a heaven for?"²⁷

LeRoy Collins lived his life reaching and seeking for the best in himself and in others. His success as a human being can serve as an appropriate measure for our own success in living a quality life. All of us who live in Florida owe a debt of gratitude to Collins for having enriched our State and our lives. Thank you, Governor Collins.

26. L. COLLINS, *supra* note 22, at 70-71.

27. Collins, *supra* note 20.