

Mary E. Adkins. *Making Modern Florida: How the Spirit of Reform Shaped a New State Constitution.* Florida Government and Politics Series. Gainesville: University Press of Florida, 2016. 240 pp. \$29.95, cloth, ISBN 978-0-8130-6285-3.

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Florida in the mid-1960s stood at a watershed in its long and colorful history. The state's population boomed, especially in south and central Florida and showed no signs of leveling off. The world watched every liftoff from the new Kennedy Space Center as America moved closer to a landing on the moon by decade's end. In addition, unbeknownst to Floridians, Walt Disney planned a move to the Orlando area that would lead to the creation of the world's greatest tourist attraction. All of these events and forces proved challenging for the Florida state government to handle. This was due mainly to a poorly apportioned state legislature and an antique 1885 state constitution. Clearly inadequate for twentieth-century governance, it had to be updated. Mary E. Adkins retells the political and legal campaign in Florida for a new and effective state charter in *Making Modern Florida: How the Spirit of Reform Shaped a New State Constitution*.

Adkins convincingly ties the long battle for legislative reapportionment to the creation of a modern constitution for the Sunshine State beginning in the 1950s. The chief obstacle to such a revision was the legendary Pork Chop Gang, a group of mostly north Florida "old school" politicians determined not to give up their seats, or the power that went with them, due to population shifts in

other parts of the state. Events of the decade, like the untimely death in office of Governor Dan McCarty without a lieutenant governor to step in and the 1954 *Brown* decision ending public school segregation, made the 1885 document painfully obsolete. Muted calls for constitutional reform had been coming in since 1947 to help handle pressing tasks, like the protection of Florida's delicate environment. Reform governor LeRoy Collins tried to move Tallahassee politicians in that direction but ran into a Pork Chopper-led wall of resistance. It finally took an event outside the state in the form of a United States Supreme Court decision to pave the way for change.

The principle of "one man one vote" became law with that court's decision in *Baker v. Carr* (1962), which mandated that states like Florida must reapportion representation in state legislatures based on true population centers. Until this happened to the high court's satisfaction state government remained "in a legal twilight zone" (p. 47). It took three separate cases at the federal level for Florida to meet the new requirements. With the handwriting on the wall, the Pork Choppers began a downward spiral fueled by the realities of redrawn districts that in time would make them relics of the political past. Their decline gained speed when Governor Hayden Burns

called for a Constitution Revision Commission (CRC) in 1965. Its mission was to be nothing less than drafting a twentieth-century document that interfaced with new reapportionment and could be ratified by the state legislature.

By early 1966, the CRC began taking shape with the appointment of former Florida Bar president Chesterfield Smith as chair. Other members were selected by the governor, the chief justice of the state supreme court, both houses of the legislature, and the Florida Bar Association. Sadly, no African American would serve, and only one woman (Beth Johnson, state senator of Orlando). In many ways, the old and new of Florida political leadership rubbed shoulders on the CRC. These included the likes of legendary Pork Chopper and former governor Charley Johns and a new generation like Reuben Askew and Lawton Chiles. Another key member and “father” of the new constitution was Hugh Taylor of Quincy, chair of the all-important Style and Drafting Committee. He had the ultimate responsibility to make all the parts of the new document fit together in an orderly and coherent manner.

The CRC would come to be made up of ten committees tasked to suggest and approve new articles covering issues like the state executive, legislative, and judicial branches; state finances; human rights; education; and voting and elections. Unlike the Constitutional Convention of 1787, Florida’s was not held behind closed and guarded doors and had opportunities for input from the public. Over the months of numerous discussions and debates, a new charter began taking shape. It called for annual meetings of the legislature, regular reapportionment, a lieutenant governor and elected cabinet, and a revamped court system from the county level all the way to the Florida Supreme Court. Home rule became a reality for all Florida counties and municipalities. In draft, it truly promised a “new order of the ages” for the Sunshine State.

When final debate in the CRC took place in November 1966, it occurred in a new state political climate. Many old Pork Chop Gang members had either left office or soon would, and flamboyant Claude Kirk became the first Republican since Reconstruction to win the governorship. During these last meetings, the CRC pondered an amendment to grant all Floridians equal protection under the law regardless of gender and to lower the voting age from twenty-one. Both of these were tabled indefinitely and left for future revision commissions to consider. Finally, the legislature would take up the draft constitution in its own round of debates and approved all except Article V on the state judiciary. The legislators thought it practical to delay submitting that article for the voters until the citizens of Florida had ratified the rest of the new constitution.

Statewide the issue of approving the new constitution was far from certain. Three University of Florida professors of political science, including the renowned Manning Dauer, publicly opposed it at first. However, when the time came to vote on November 5, 1968, 55 percent of Floridians voted “yes.” However, as the author points out, it won with support from just sixteen of Florida’s sixty-seven counties (p. 178). In the end, the 1968 constitution propelled Florida into the future and has stood the test of time despite the relatively simple means of amending it or changing it all together. The document mandates a new CRC every twenty years, ensuring it remains a living covenant that can respond to the needs of Florida’s people.

Adkins makes a compelling case that modern Florida might not exist as it does without the changes to governance brought by the 1968 constitution in her well-researched study. Any student of Florida’s past and present will want to read *Making Modern Florida*. The story it tells is a reminder of a time when true solons walked the halls of government and reasoned together to accomplish common goals for the common good.

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