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Correction Appended

## **FORMER GEORGIA GOVERNOR: S. ERNEST VANDIVER JR. 1918-2005: One-time segregationist helped calm racial crisis**

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Former Gov. S. Ernest Vandiver Jr., who campaigned as a segregationist but once in office cleared the way for peaceful integration of Georgia schools, died Monday evening at his home in Lavonia. He was 86.

The body of the state's 73rd governor will lie in the state Capitol Rotunda from 11 a.m. until 2 p.m. today. The funeral will be 11 a.m. Thursday at Lavonia First Baptist Church.

Vandiver became governor at a time when states across the South were grappling with school desegregation. His decision not to defy the federal courts paved the way for Georgia to make the transition to integration without the turmoil that bedeviled much of the Deep South.

"He was a very courageous governor and one of the best governors we ever had," said Vandiver's former top aide, Griffin Bell, who would later become U.S. attorney general. "I think he never really got the credit he deserved for [desegregation]. He bore the brunt of a lot of criticism for what he did and he did it with grace."

Running against an archsegregationist in 1958, Vandiver notoriously promised white voters that "No, not one" black student would be allowed to enter all-white schools.

But once in office, he appointed banker John Sibley to head a state commission designed as a "cooling off" measure to prepare white parents for the inevitable court-ordered school desegregation.

Desegregation erupts

The crisis came in 1961, when U.S. District Judge William Bootle ordered the University of Georgia to admit two black students, Charlayne Hunter and Hamilton Holmes, and the campus erupted. A state law adopted in 1955 required that the university be closed rather than desegregated.

"Betty and I spent a night on our knees," Vandiver recalled in 1998, referring to his wife. "Then I called all the legislative leaders to the mansion to tell them goodbye, and that I was going to use all the power of my office to keep the university open. I thought they wouldn't want to be associated with me."

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Vandiver, who was recovering from a heart attack, had quietly called a meeting of 60 of the state's top leaders.

Carl Sanders, who was Vandiver's Senate floor leader at the time and would succeed him as governor, recalled Tuesday that although 58 were for closing UGA, Vandiver listened to the advice of Sanders and House floor leader Frank Twitty.

Ten days later, in a televised address, Vandiver called on the Legislature to scrap the law so the university could stay open, and adopt the Sibley Commission's recommendations on public school desegregation.

To do otherwise, the Democratic governor said, would only be engaging in "emotional, futile moves which accomplish nothing but further aggravate an already bad situation."

Sanders called it "one of the most courageous political speeches I've ever heard."

Vandiver blamed the stand he took for his political demise. He never held elected office again.

"At the expense of what I think was my political career, I made the statement that I intended to follow the law," Vandiver said. "I would hope that would be included in my obituary."

Vandiver was the last of the state's governors to be closely identified with the Talmadge political machine that had dominated state politics.

Links to Talmadge family

Vandiver was born July 3, 1918, in the northeast Georgia community of Canon, near Lavonia. His father owned a seed company and supported Gov. Eugene Talmadge, thereby gaining a seat on the state Highway Board in 1941-42. When he died, the elder Vandiver left his estate to his son with the express purpose of using the money to someday run for governor, according to Bell.

Vandiver, who served in the Army Air Forces during World War II, was elected mayor of Lavonia in 1946 and became adjutant general of the state after managing Herman Talmadge's 1948 campaign for governor.

Vandiver was elected lieutenant governor in 1954, vowing to oppose any attempts to abolish school segregation and the county unit system --- a sort of electoral college that allowed rural areas to dominate state politics.

He soon distanced himself from Gov. Marvin Griffin, whose administration was marred by corruption.

Vandiver helped defeat a \$50 million road-building slush fund that would have aided the campaign by Griffin's hand-picked successor, Highway Board Chairman Roger Lawson. Griffin shifted his support to W.T. Bodenhamer, an archsegregationist preacher-legislator from South Georgia.

Bodenhamer's charge that Vandiver was "weak on segregation" provoked Vandiver to make the "no, not one" pledge in a campaign radio talk from Decatur.

School desegregation was the biggest of several crises that occupied Vandiver after he took office at the age of 40.

At the outset, his administration was rocked by a series of articles in The Atlanta Constitution about the state's insane asylum, Milledgeville State Hospital. Experimental drugs were used on patients as part of research programs financed by drug firms, without the permission or knowledge of many of the patients' families. A nurse performed surgery. Unqualified individuals administered anesthesia.

After touring the facility with his wife, a stunned Vandiver launched an investigation. The hospital superintendent retired, and seven doctors resigned. The Legislature approved \$11 million for new facilities.

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Vandiver staunchly defended Georgia's county unit system for the nomination of statewide officers in party primaries, which weighted elections in favor of rural areas and limited the voting power of city voters. The system awarded votes by county, allowing rural counties to outvote urban counties. But Vandiver was forced to retreat on this issue, too.

In 1962, Atlantans filed a lawsuit asking that the county unit system be declared unconstitutional. Vandiver called a special session of the Legislature "to protect and preserve the county unit system," he said.

Lawmakers devised a novel change increasing Fulton County's unit votes and providing for a runoff, if necessary, between a unit-vote and a popular-vote winner. Vandiver signed the bill and it was rushed to the federal courthouse.

But a three-judge panel invoked the constitutional principle of "one person, one vote" and declared the county unit system unconstitutional. Ever since, Georgia primaries have been conducted by popular vote.

Vandiver played a key role at the 1960 Democratic Convention, persuading his fellow Southern governors to back John F. Kennedy, a Catholic, and Lyndon B. Johnson, like Kennedy a supporter of civil rights legislation. Vandiver said he did it in exchange for Kennedy's promise not to federalize the Georgia National Guard to assist school integration as the Eisenhower administration had done in Little Rock.

Vandiver left office in 1963 and chaired a Rapid Transit Committee that helped lobby for a commuter train network, now MARTA, in metro Atlanta.

Misunderstanding in 1970

Vandiver supported Jimmy Carter in the 1970 governor's race. He thought he had an understanding that Carter would appoint him to fill out the term of U.S. Sen. Richard B. Russell, the uncle of Vandiver's wife, if the ailing Russell died.

But when Russell died in 1971, Carter appointed David Gambrell. Vandiver ran against Gambrell in the 1972 Democratic primary, but both were defeated by Sam Nunn.

Vandiver retired to a life as a Lavonia banker and cattleman. Last year his daughter, Jane Kidd, revived the family's political tradition, winning election to a state House seat as a Democrat from Athens.

On Tuesday, the Legislature observed a moment of silence upon hearing the news of Vandiver's death. The House and Senate will be in recess today while the former governor's body lies at the Capitol.

"Governor Vandiver guided our state through the desegregation of the University of Georgia and Atlanta public schools, reformed state government through more efficient business practices and helped restore the people's trust in state government," Gov. Sonny Perdue said in a statement.

Survivors, in addition to Vandiver's wife and daughter, include a son, S. Ernest "Chip" Vandiver III of Lavonia, another daughter, Beth Vandiver of Lavonia, and four grandchildren.

--- Staff writer Bill Rankin contributed to this article.

**LOAD-DATE:** February 26, 2005

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**CORRECTION-DATE:** February 25, 2005 Friday

**CORRECTION:** In a timeline that accompanied Wednesday's obituary of the late Gov. Ernest Vandiver, the information for 1963 should have included Vandiver's return to private law practice.

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**GRAPHIC:** Gov. Ernest Vandiver tosses out the opening pitch at an Atlanta Crackers game in 1959, with player Buddy Bates close by. / File; Addressing a joint session of the Legislature Jan. 15, 1959, Gov. Ernest Vandiver says he "has no intention of turning Georgia schools and colleges over to the federal government for any purpose, anywhere at any time during the next four years." At left is Lt. Gov. Garland Byrd. / FileVANDIVER'S LIFE > July 3, 1918: Born in Franklin County. > 1940: Graduates from University of Georgia, earns law degree in 1942. > 1942: Serves as an Army Air Forces fighter pilot during World War II. > 1946: Takes office as mayor of Lavonia. > 1947: Marries Sybil Elizabeth "Betty" Russell, niece of legendary U.S. Sen. Richard B. Russell. > 1948: Manages Herman Talmadge's successful campaign for governor. Vandiver is then appointed adjutant general of Georgia. > 1954: Wins election as lieutenant governor. > 1958: Wins race for governor. During the campaign he promises that Georgia schools would never be integrated and that federal troops would be defied if sent into the state. Also pledges to preserve the state's county unit system, which assured rural dominance of the Legislature. > 1960: Pledges support for presidential candidate John F. Kennedy. After Kennedy's win, Vandiver is nominated as secretary of the Army, but withdraws when he is portrayed as a committed segregationist. > 1961: After a federal judge orders UGA to allow two blacks to enroll, Vandiver accepts the decision and the university is integrated. > 1963: Limited to one term, Vandiver leaves office and returns home to farm and serve as chairman of a Lavonia bank. > 1966: Plans to run for governor again, but withdraws after suffering a heart attack. > 1971: Named adjutant general under President Jimmy Carter. > 1972: Runs unsuccessfully for U.S. Senate against Sam Nunn. > 1990: Honored for his foresight in acquiring Colonels Island, a 2,000-acre enclave south of Brunswick that became a major part of the state's port system. > Feb. 21, 2005: Dies at home in Lavonia at age 86. Sources: Current Biography, The Encyclopedia of Georgia Compiled by News Researcher Joni Zeccola

**TYPE:** Obituary

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