
SEEKING “REALISM AND A LITTLE RATIONALITY” IN GOVERNMENT



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The Observations of Former Governor Robert F. Bennett

edited by Virgil W. Dean

The thirty-ninth governor of the state of Kansas, Robert Frederick Bennett, who came to that office with as much or more experience in state and local government as any other governor in the state's history, was born in Kansas City, Missouri, on May 23, 1927. Adopted as an infant and raised in Johnson County, Kansas, Bob Bennett was educated in Shawnee Mission and at the University of Kansas. He was a veteran of World War II and Korea, as well as a Johnson County lawyer, Prairie Village city councilman and mayor, and a member of the state senate for a decade prior to his 1974 run for the governorship. Bennett served in and presided over (as president of the state senate in 1973 and 1974) a legislature in transition. All three branches of government were reformed and modernized during his decade of service, most notably, perhaps, was executive branch reorganization, which began during the legislative session of 1972 and continued after the adoption of a new executive article to the state constitution in November of that year.¹

In November 1974 Bennett captured the governorship by a slim margin of victory over Attorney General Vern Miller, after narrowly winning the party nomination in the August primary. Bennett was the first Kansas governor elected under the new constitutional provisions for a four-year term and a governor/lieutenant governor ticket.² Political friends and foes alike admired Bennett's intellect and grasp of the intimate details of policy and government, but some, such as Lew Ferguson, long-time statehouse correspondent for the Associated Press, observed that Bennett did not "delegate authority as he should have, and he

Virgil W. Dean, *editor of Kansas History: A Journal of the Central Plains since 1991, is a native of the Sunflower State who took his PhD at the University of Kansas. He has conducted extensive research on Kansas's Depression-era Democratic governor, Walter A. Huxman, and among his most significant publications are two books: An Opportunity Lost: The Truman Administration and the Postwar Farm Policy Debate (University of Missouri Press, 2006) and John Brown to Bob Dole: Movers and Shakers in Kansas History (University Press of Kansas, 2006).*

1. H. Edward Flentje, ed. and comp., *Selected Papers of Governor Robert F. Bennett: A Study in Good Government and "Civic Book" Politics* (Wichita, Kans.: Center for Urban Studies, Wichita State University, 1979), 1–4; Homer E. Socolofsky, *Kansas Governors* (Lawrence: University Press of Kansas, 1990), 219–23; Kansas *Laws* (1972), ch. 390, Article 1.—Executive, 1433–36; "Former governor of Kansas dies at 73," *Kansas City Star*, October 10, 2000.

2. Bennett and running mate Shelby Smith received 67,347 votes in the Republican primary, only about 500 votes more than the Concannon/Burns ticket, which polled 66,817; Republicans Robinson/Braun won 56,440 and Clack/Lowe, 17,333. Bennett/Smith defeated Miller and Jack Steineger, 387,792 to 384,115. Socolofsky, *Kansas Governors*, 219–23; Secretary of State, *State of Kansas, Election Statistics, 1974, Primary and Special Elections, 1974 General Election* (Topeka: State Printer, [1975]), 78; "Bennett first governor elected to 4-year term," *Topeka Daily Capital*, April 15, 1976.

never really connected with ordinary folks. . . . The ordinary people of Kansas mistook his intellect for arrogance.”³

In the wake of his unexpected 1978 defeat, Governor Bennett reflected on his time in office with interviewer Lynn Muchmore of the National Governors’ Association Center for Policy Research. In December 1978 he noted that,

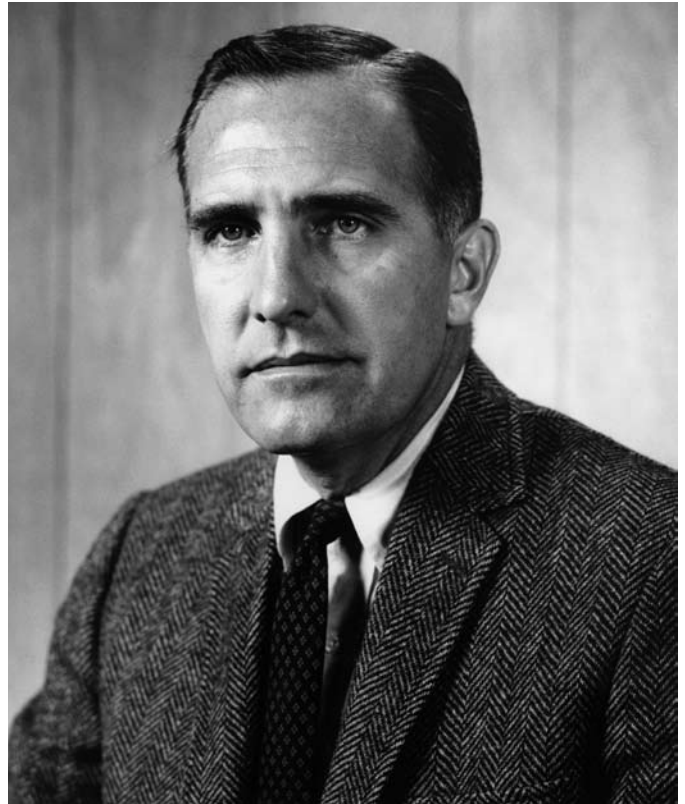
One of the basic ingredients of any governorship is the personality of the person who holds the position. There are some people—newcomers to politics—who have some very broad, general ideas about government and philosophical concepts, and who are fully prepared to delegate to others the obligation to implement those philosophical concepts. . . . There is another kind of Governor, whom I call a drifter, who likes to go with whatever he thinks is palatable with the people, regardless of its long-range effects. He can pretty well operate just by having a good set of polls that are updated every several months. There is another kind of Governor who wants to be intimately involved in most of the major decisions, not only in determining a policy, but also—at least partially—in its administration. I probably fall into that category. I think each of these Governors needs to structure the staff to his liking; otherwise, it’s not going to do any good. If I, for instance, surrounded myself with a bunch of individuals who felt that they were going to be the policy makers and I was going to be the “front man,” we wouldn’t get along at all well.⁴

“Coming into the job,” the governor explained,

I had three advantages. One was that I had been in the Legislature for 10 years. For two of those years, I’d been President of the Senate. During that period of time, we had a Governor of another political party, so the President of the Senate and the Speaker of the House got together and constructed their own program. They developed that program from their composite knowledge of what was going on in the

3. “Former governor of Kansas dies at 73,” *Kansas City Star*, October 10, 2000; Bert Masterson, “Bennett: Governing Visibly,” *The Wichitan* 6 (October 1978): 53; see also Marvin A. Harder and Russell Getter, *Electoral Politics in Kansas* (Topeka: Capitol Complex Center, University of Kansas, 1983). The gubernatorial papers of Robert F. Bennett are in the Kansas Collection, Kenneth Spencer Research Library, University of Kansas Libraries, Lawrence.

4. National Governors’ Association, *Reflecting on Being Governor* (Washington, D.C.: National Governors’ Association, Center for Policy Research, 1981), 41–58; quotation, 43. Most seem to agree with Bennett’s assessment of his governing style; see “Former governor of Kansas dies at 73,” *Kansas City Star*, October 10, 2000.



Shelby Smith, a Wichita businessman, served in the state legislature for eight years before winning nomination as lieutenant governor and a place on the ticket with Bob Bennett in 1974. A naval veteran of World War II and Korea and a former FBI agent, Smith was the chief sponsor of the Kansas Law Enforcement and Training Center, established in 1968 at the former naval air station in Reno County, south of Hutchinson. In the spring of 1978, Smith informed the governor that he did not wish to stand for reelection, and Bennett began the process of selecting a new running mate for the hoped for second term. Image courtesy of the Kansas Collection, Kenneth Spencer Research Library, University of Kansas Libraries, Lawrence.

state—what the needs were—and also from the recommendations of their legislative colleagues.

So I came into the office with that background. Once here, as we analyzed various issues, we got our advice from a number of different sources.⁵

5. *Reflecting on Being Governor*, 41. Bennett served as president of the state senate during Democratic Governor Robert Docking’s final two-year term; the speaker of the house at that time was Duane S. “Pete” McGill, a Republican from Winfield. Perhaps not surprisingly, during the heat of the 1978 campaign, Governor Bennett told a *Kansas City Times* reporter that he had not been impressed with “the Legislature’s performance under Democratic house rule” during the previous two years. “I think it has been confused,” said Bennett. “I think we’ve returned unwisely to the last-minute hectic sessions” he and Speaker McGill tried successfully to avoid during their senate tenure. “You’ve had the disorderly adjournments and I don’t



Vern Miller, a Democratic sheriff in Sedgwick County who attended law school by night, served as the state's attorney general from 1971 until 1975, during which time he became famous for his strict adherence to the letter of the law. He orchestrated and personally executed raids on what he called "the drug-ridden, hippie culture" of cities throughout the state, shuttered church bingo games as illegal gambling, forbade airlines and trains from serving alcohol while passing over or through Kansas, and arrested antiwar protesters when they refused to disband, like those pictured here with Miller as he speaks with a uniformed officer in Lawrence. These controversial actions made Miller popular with many in the state. When he ran against Bennett for the governorship in 1974 he at first easily led the race. Over time his support waned, though in the end he lost to Bennett by less than four thousand votes. Image courtesy of the Lawrence Journal-World and the University Archives, Kenneth Spencer Research Library, University of Kansas, Lawrence.

According to Bennett, "the political facts of life" made it necessary for a governor to "be involved and be active in the party." One must either "try to direct and lead the party" or be willing to follow the party's lead on particular issues. "In most instances," he said,

if you're talking about the broad philosophical position—for instance, in my party, that the government that governs least governs best, that the individual ought to be supported rather than controlled and restricted—if you follow that position, as I do, you find yourself not too far afield from specific proposals of

think that makes for good legislation." Of course, Bennett did not allow for one big difference; during the last two years of his administration—1977 and 1978—Democrats controlled only the house of representatives (65 to 60); Republicans controlled the state senate (21 to 19). Democrats John W. Carlin and Patrick J. Hurley were speaker and majority leader, respectively, while in the Republican senate Ross O. Doyen presided as president, with Norman E. Gaar as majority leader. "Question: How Should a Governor

Run Kansas?," *Kansas City Times*, October 4, 1978, in Politics, Clippings, vol. 7, 1958–1978, Library and Archives Division, Kansas State Historical Society, Topeka; *Kansas Legislative Directory, 1973–1974* (Topeka: Midwest Industry Magazine, [1973]); Lynn Hellebust, ed., *Kansas Legislative Handbook* (Topeka: Government Research Service, 1978); *Kansas Legislative Directory, 1977–1978* (Kansas City, Mo.: Halgo Publishing Inc., [1977]).

the party nationally. When it comes to the party on the statewide basis, I think you have that backdrop of philosophy that affects most of your decisions. But as far as specific decisions are concerned, the party hasn't played that much of a part in the specific decisions of this administration, nor has it attempted to.

Elaborating a bit on the role of party politics and patronage in his administration, Bennett observed that before he moved in a Democrat had occupied the governor's office for eight years. "As a consequence," he stated,

the [Republican] party was (1) in debt and (2) weak. Unfortunately, many of the individuals who were looking for patronage were not individuals you'd like to patronize. So, the party had very little to do with patronage, even though some party members might have wanted more. We campaigned on the promise that we were going to operate the government on a very efficient and economical basis—that we were not going to rely on patronage. So that sort of foreclosed the party from a very active role in appointments. They had a passive role. Sometimes they tried to play it, and sometimes they didn't even do that.

Bennett said that as governor he spent a good deal of time "trying to raise money for the party" and seeking "to broaden the party's influence" and focus so that it was "concerned about the election of all of its candidates." Bennett said he also spent a good deal of time working for the election of local officials, and in general he believed the party accepted his leadership. "Our party is not known as a party of strong followers, but rather, a party of diverse and multiple leaders. But I think they were willing to follow the leadership of a sitting Governor, by and large."⁶

On the subject of ethics and elected officials, the governor said, "as a legislator and as President of the Senate, I was one of the authors of the conflict of interest bill and the election finance bill. That constituted a statutory standard or code of conduct for all state employees, elected and appointed." As for undue influence from interest groups, Bennett saw no real problem:

In my 14 years in state government and in my 25 years in government, I have met very few people who I considered to be dishonest—or very few people whom I thought to be giving favors for something in return, if

6. *Reflecting on Being Governor*, 44–45.

that's the way you want to put it. With rare exceptions, Kansas has a great tradition of honesty in government. Something that may not be understood on the eastern seaboard is just the nature of the beast here. People know more about what their public officials are doing and hold them to a little higher standard. You do see from time to time that your political opponents try to make something out of an association that doesn't exist, and you have to be more concerned with the appearance of favoritism than with favoritism itself.



Political friends and foes alike admired Bennett's intellect and grasp of the intimate details of policy and government, but some observed that Bennett "never really connected with ordinary folks." This was not for lack of trying, as Governor Bennett does here with some young constituents at Beef Empire Days in Garden City, June 3, 1978. Image courtesy of the Kansas Collection, Kenneth Spencer Research Library, University of Kansas Libraries, Lawrence.

Actually, we've tried to bend over backwards—using bidding and negotiated bidding and such practices to avoid any question of favoritism—and it hasn't presented a problem, except that, quite frequently, to be a friend of the Governor means you pay a heavy penalty. It is better to either (1) not know him or (2) be his enemy. I've had several friends who would like to have become involved in a deal to which the state was a party [but they didn't, for fear of criticism]. . . . So I think a lot of people feel that they pay a heavy penalty to be a personal friend of the Governor.⁷

Governor Bennett insisted that traditional, "private special-interest groups," such as the railroads and the oil industry, were not nearly so powerful or influential in Kansas as they had been in years past. He worried, however, about the rise of "the so-called public special-interest groups" who were just then "coming into their own. . . . You're not talking about friendship necessarily, or about money or monetary support in the campaign. You're talking about elbow grease and votes. You're talking about the labor unions. You're talking about the teachers. You're talking about the Common Cause-type organizations that can put pressure on in one



"With rare exceptions," Bennett posited, "Kansas has a great tradition of honesty in government. Something that may not be understood on the eastern seaboard is just the nature of the beast here. People know more about what their public officials are doing and hold them to a little higher standard." To get to know more about the problems facing one of his key constituencies, Bennett initiated the Governor's Farm and Ranch Field Day, sponsored by the Kansas Farm Bureau. The fourth annual tour, a one-day event conducted on May 26, 1978, took the governor and Mrs. Olivia Bennett to grain, stock, and dairy operations in Sumner, Ford, and Stevens Counties. Image courtesy of the Kansas Collection, Kenneth Spencer Research Library, University of Kansas Libraries, Lawrence.

7. *Reflecting on Being Governor*, 50–51.

way or another." Although the governor thought "private special-interest power" might still have been significant in Washington, D.C., this was no longer so much the case in Kansas. "But correspondingly, and of equal danger, the public special-interest groups are becoming more and more powerful. Unfortunately, they are more and more myopic in the exercise of their power and potentially more and more dangerous."⁸

As for the size, role, and intrusiveness of government, Bennett explained:

You have to analyze government by trying to determine why we need it. You need it, of course, because you don't live as an individual; you live as a community. And in order to do that successfully, peacefully, in an enjoyable fashion, there has to be regulation of some sort, self-imposed or governmentally imposed, that allows you to live safely and enjoyably with one another. A long time ago, we didn't have all of the complex problems that we have today, like synthetics and their potential cancer-causing effects. We didn't have airplanes, and we didn't have pollution, and we didn't have a lot of these things that come with the heavy concentration of population.

The size and complexity of modern society made government regulation a necessity, and, Bennett surmised, the "individualism" of an earlier era

had to give way to the collectivism of this time, just so that we could live without either being enslaved or returning to the law of the jungle.

Having said that, I think it's fair to state that the real problem today is how far government should interfere with individualism in order to provide workable collectivism. That is really the difference between the political parties, with the Republicans feeling that interference should be the least and the Democrats, to a certain extent, feeling it should be the most. Certainly, there are differences among individuals within either of the political parties. Far, far too many people feel that the problems of the day can be handled by government. And even those who proclaim themselves to be self-made, rugged individualists will be the first to appear before a legislative or a congressional committee to ask that their industry be protected.

I'm not one who favors the total deregulation of the trucking industry, as an example. But the trucking industry itself is the strongest promoter of regulations

8. *Reflecting on Being Governor*, 57–58.



Bennett tried to balance his view that the best government is the one that governs least with what he called "the collectivism that's necessary for us to live happily." When natural disasters struck the state, for example, Bennett took action, as he does here during a visit to northwest Kansas in the wake of a 1976 "blizzard." In the background is his ride, a National Guard helicopter. Image courtesy of the Kansas Collection, Kenneth Spencer Research Library, University of Kansas Libraries, Lawrence.

and restrictions to protect its profits. They perpetuate this type of intrusion. And even the so-called manufacturers of polluting engines have been known to lobby in such a fashion as to prevent somebody else's pollution while they let theirs go on. So everyone gets involved in utilizing the regulations to protect himself or to protect his profits. Where you strike the balance between the freedom that we all sort of like as we revere whatever individualism is today, where you strike the balance between that and the collectivism that's necessary for us to live happily, I don't know. It's probably the true art of government that everybody is still searching for.

With respect to differentiating between private and public sector responsibilities, the outgoing Kansas governor answered pragmatically, saying that "philosophically" he believed one first should "define the problem" and then "determine whether or not the problem is of such moment [or magnitude] as to warrant governmental intervention. . . . Having determined that it is something in which government should take a hand, I think the preferable course is to do it by way of incentive, and certainly to do it absent penalty. If you find that that approach isn't sufficient, then I think



A 1978 campaign photograph of Governor Bennett with his new second-term lieutenant governor running mate, Larry Montgomery. Montgomery, who grew up in Garden City, had most recently served as director of international development, as well as director of travel and tourism, for the Kansas Department of Economic Development. Image courtesy of the Kansas Collection, Kenneth Spencer Research Library, University of Kansas Libraries, Lawrence.

you are warranted to do it by mandate or to have the government do it itself." It is not all "black and white," insisted Bennett, and each issue must be analyzed on its own merits:

There are things that involve the individual and the individual alone. I think that everyone would be a better person if, at some time in his life, he read Longfellow. But I don't think that it's so essential to his lifestyle or to his involvement with the community that it ought to be mandated. Nor do I think he ought to be paid for reading Longfellow. I think he ought to be encouraged, and that's it. On the other hand, I think that if someone is discharging raw sewage onto his neighbor's land, something has to be done. . . .

Each one of these issues has to be resolved according to its magnitude. . . . I don't know of any list of beatitudes or commandments that you could write that covers all of those issues, except that I think you have to put a little realism and a little rationality in it.

You have to realize that everything can't be done—and doesn't have to be done—by the government. . . .

Indeed, Bennett insisted, the government could not and should not force individuals to do all the things it would be good for them to do or make them avoid everything

that might be harmful. "I think that there are some instances," he stated, "where you have a right to be stupid."⁹

Bennett was concerned about the expanding role of the federal government, with its concomitant regulations and taxation, but was generally satisfied with the amount of influence he was able to exert over the executive branch of state government. "As a Governor who is retiring not out of desire but out of design," however, "you always think that there were things yet to be done, there were a great many in our case. Had we been permitted the next four years, some of the things we started would have been finalized. I think that we could have brought government better into line—to do the things needed in an efficient and economic way. We spent those four years trying to set the base for executive reorganization. We had a task force of businessmen to tell us how we could do things a little more cheaply—or maybe not do them at all, if that were a more appropriate way to go. I think that in an eight-year period we certainly could have

9. *Reflecting on Being Governor*, 51–53. One such instance was the Laetrile Movement, which the governor considered a "fraud, as near as I can tell." At best, Laetrile was a placebo that some individuals chose over more conventionally accepted cancer treatments such as surgery or chemotherapy. At worst, the substance was linked to fatal cyanide poisoning in those who used it. A Kansan, Glen L. Rutherford, was a principal in the controversy during its peak in the 1970s. See, among other sources on this controversial medical treatment, Benjamin Wilson, M.D., "The Rise and Fall of Laetrile," <http://www.quackwatch.org/01QuackeryRelatedTopics/Cancer/laetrile.html>; *U.S. v. Rutherford*, 442 U.S. 544 (1979), at <http://biotech.law.lsu.edu/cases/FDA/rutherford.htm>.

accomplished that." The "management role" of the governor, explained Bennett, had become more and more important because the governor was in essence—"in the case of the state of Kansas"—running "a \$2 billion business." Thus, "Governors or Governor-hopefuls who have management capabilities have a leg up on the job and have the greater probabilities of doing a good job, even if they are not much appreciated by their political cohorts."¹⁰

Although Bennett's failure to win a second four-year term prevented his administration from completing its agenda, a solid "foundation" had been built. With regard to "economy and efficiency in government," Bennett believed his government had positioned the state

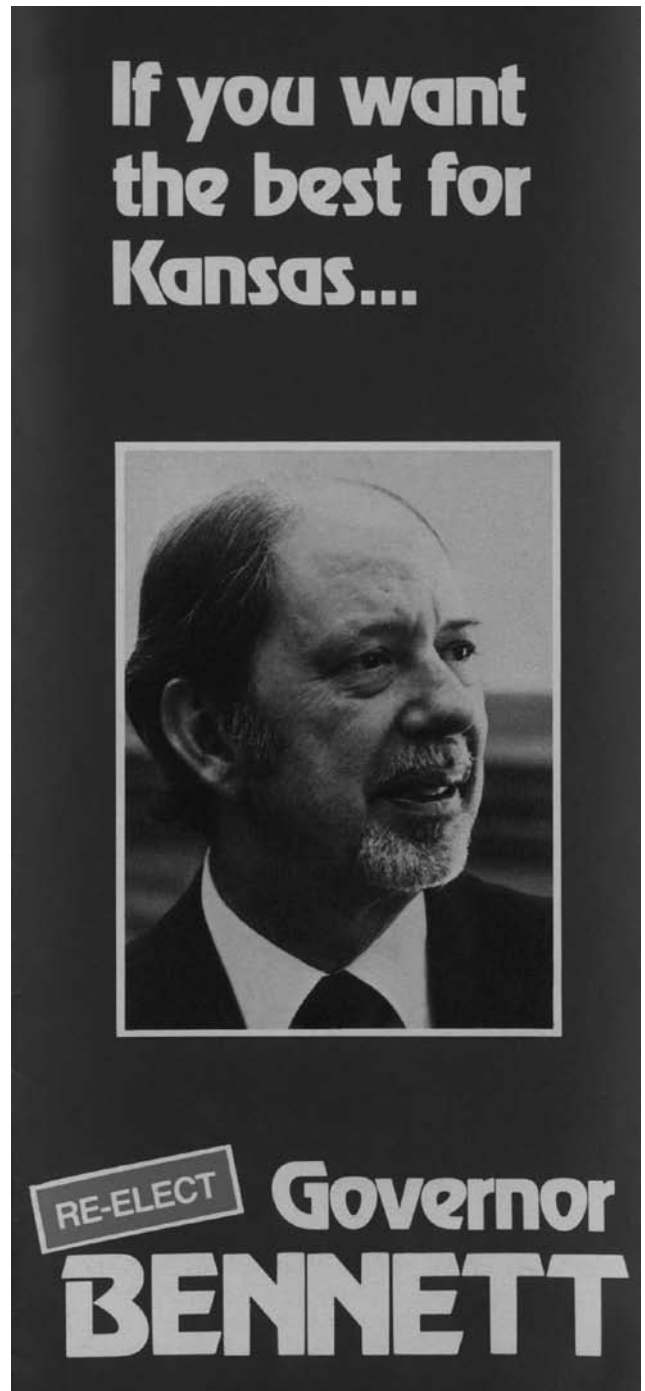
ahead of its time. It's not ahead of its time on the bandwagon of the campaign—because it sounds great. I didn't hear a single politician this year who wasn't for it. But when you get down to the nitty-gritty of abolishing a department or agency, changing the way that the cow gets from the field to the barn, you get all of the special-interest groups excited. All of a sudden, they find out that economy and efficiency in government wasn't what they wanted after all. They wanted government to be economical and efficient in all the other areas but their own; their area was just the way they wanted, and they wanted that left alone.

So I think in state government—I can't speak for other states, but I think in state government here in Kansas—people like economy and efficiency as a goal, but it's ahead of its time as a practical solution to a governmental problem. But it has to be proposed. And it has to be commenced. And maybe in four years, maybe in six, maybe in eight, it will become a reality. But it's got to be commenced sometime.

There were some things like that—that we said in the campaign four years ago—that certainly have not come to fruition. But they were commenced. There was a good base laid. Whether my successor will carry them on remains to be seen. But sometime down the line, the foundation we built these four years in those areas will support a house.

Let's look, then, at the various things that we campaigned on [in 1974]. Our slogan was "Hire an expert." My opponent [Vern Miller] was a very hypertensive Attorney General who was great in drug raids, but we questioned his ability as an administrator. So we put a great deal of emphasis on executive reorganization and administrative expertise. We started, but it's not

10. *Reflecting on Being Governor*, 55–56.



Governor Bennett was, of course, surprised and "a little disillusioned" by his November 7, 1978, defeat. Nevertheless, he insisted he was "not bitter. . . . it's been an enjoyable four years, a very educational four years. I think I've learned a lot, and I think we've done a lot." Above, a campaign pamphlet from Bennett's 1978 gubernatorial race against John W. Carlin.



Unlike his immediate Republican predecessors, John Anderson and William Avery, and his Democratic successor, John Carlin, Bennett—who, according to friends and associates enjoyed government but not the politics of campaigning—did not seek elective office once his single term as governor expired. Above Bennett and his successor pledge allegiance at Carlin's inaugural ceremony on January 8, 1979.

finished. During that time we said we would increase the support for education. We did that, and I'm very pleased with those things. The general things that we said we would do in the last four years, we have either done or commenced. One area in which we were not able to do anything was capital punishment. That's one proposal that we recommended for four consecutive years and never passed through the Legislature.¹¹

A *Kansas City Times* reporter asked Bennett about his gubernatorial legacy during an October 1978 interview, just

11. *Reflecting on Being Governor*, 56–57. On former Sedgwick County sheriff and Kansas attorney general Vern Miller, see Brian Moline, "Vern Miller: Kansas' Supercop," in *John Brown to Bob Dole: Movers and Shakers in Kansas History*, ed. Virgil W. Dean (Lawrence: University Press of Kansas, 2006), 306–16. For more on the death penalty debate and the 1978 campaign, see Beatty's interview with John Carlin in this issue at page 129–30. During the last weeks of the campaign, Governor Bennett told the *Kansas City Times* that if reelected his administration would "propose the same bill as we have proposed for the last several years, which was the bill that was proposed by the interim committee. I feel that [the] death penalty is a deterrent to some crimes of murder. I think we need it as a tool." "Question: How Should a Governor Run Kansas?," *Kansas City Times*, October 4, 1978.

one month before the general election. "If I retire at the end of this four years," explained the governor, "I would hope that one thing they would say is that we commenced to do some things that needed to be done in Kansas by trying to broaden our economic base, and though efforts have been made in the past they really weren't successful. We were able to change that. We were able to get people on the employment rolls. We were able to bring in new industries. I hope that they would say that we did a good job of commencing to reorganize government." Of course, if he were given four more years, there would be even more progress on these fronts; but "above and beyond that" the governor hoped people would say his administration "had been able to instill in Kansans that this is one state, not 105, and that problems that exist in the east will have an effect on the west, that problems that exist on the farm can have an effect in the city, and that we now view things, not as to how they effect our own little provisional area, but how they affect the entire state. So, I would hope that when we finally hang up the hat that people would say that we commenced the concert of one Kansas."¹²

Governor Bennett was, of course, surprised and "a little disillusioned" by his November 7, 1978, defeat, which he attributed to "a false issue raised at the last minute," namely his opponent's focus on high utility bills in the state. Nevertheless, he insisted he was "not bitter," and in concluding the December 27 interview, Bennett said, "it's been an enjoyable four years, a very educational four years. I think I've learned a lot, and I think we've done a lot. Now I'm going to practice law and decide whether I ever want to try to come back."¹³ Unlike his immediate Republican predecessors, John Anderson, Jr., and William H. Avery, and his Democratic successor, John W. Carlin, Bennett—who, according to friends and associates enjoyed government but not the politics of campaigning—twice considered but did not "try to come back." He remained engaged in Kansas politics and chaired at least two state-level commissions, but he never again sought elective office.¹⁴ [KH]

12. "Question: How Should a Governor Run Kansas?," *Kansas City Times*, October 4, 1978.

13. *Reflecting on Being Governor*, 58; "Bennett blames 'false issue,'" *Topeka State Journal*, November 8, 1978. In that immediately post-election interview, Bennett singled out Carlin's "promise to hold down utility bills" as "a false issue" and told the *State Journal* he "was a little disillusioned because I really think this administration did a lot for Kansas."

14. "Former governor of Kansas dies at 73," *Kansas City Star*, October 10, 2000.