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Transcript for Episode 14: Early Max: Constitutional Convention - Montana Legislature - Walk to Congress

Max Baucus

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[Begin Early Max Constitutional Convention - Legislature - Walk to Congress]

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[Music]

00:00:03

Narrator: From the beginning of Montana's distinctive yet troubled history, the Treasure State was dominated both economically and politically by powerful outside interests who shipped in capital and bought control of the State.

00:00:14

Historians tell us that as the Anaconda Company and its friends ran Montana, economic and political power flowed out into the hands of distant capitalists and corporations.

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Policy was determined in far off New York City and control of the press was rigid. Anaconda's corporate dominance in Montana's political affairs was unique in American history. For its first 75 years, Montana was a one-company State. But then big winds of change roared across the Treasure State; between 1965 and 1980 Montanans ripped off their copper collar, transforming Montana from a corporate colony into a free modern State.

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The people finally controlled their own destiny. The pitched battle between the people and the established power structure was not easily won but fired In a Crucible of Change a new Montana was born. Join Evan Barrett and real history makers of the time as they shine the light on this remarkable era.

00:01:19

Evan Barrett: Welcome back to *In the Crucible of Change*. You know as we've run through this series about the dramatic period of progressive change in Montana between 1965 and 1980 we've had a roster of rather amazing participants, a number of amazing guests. But we truly have a very, very, very special guest with us today and that is someone most of us like to call by his first name Max, but current Ambassador to China Max Baucus, former US

Senator from Montana and US Congressman from Montana. Max Baucus is with us today in our studios and it's so great to have you here Max--

00:02:08

Max Baucus: Thank you Evan.

00:02:09

Evan Barrett: --and I'm glad to have you. It's really interesting; we all know that Max Baucus was--most Montanans was 4 years in the House and 36 years in the Senate, but the early Max Baucus played an important role in the period of progressive change that we're covering with *The Crucible of Change*. You know you graduated from Helena High School in 1959, so you--and first went to Carlton but then went to Stanford right away and finished up at Stanford and went to Stanford Law; three years with the SEC in Washington as an emerging young attorney. Then you decided to come back to Montana, thank God; you know Montana has a great pull for us when we leave it. You know it's kind of amazing that way and you came back at the perfect time and maybe because of what was happening in Montana with the new Constitutional Convention, the Legislature--that's the period we're going to be talking about.

00:03:11

We're going to be talking today--you have an amazing history that's broad--all those years, but today we're going to focus on the early Max Baucus and your role in the *crucible of change*. And so when you--when you decided to come back to Montana was it just the pull of the State or was it specific to the times and did you see something going on you wanted to be a part of?

00:03:34

Max Baucus: Well actually when I worked over at the SEC I would spend some time going over to the Senate, sit in the Senate Gallery and watch debates. And there were a couple of debates there that had quite an effect on me. You know it's when President Nixon nominated a fellow named Carswell and another fellow named Haynsworth to the United States Supreme Court. And frankly I--I was quite put out with those nominations because I thought neither of them was really qualified to serve the United States Supreme Court.

00:04:09

I had a deep reverence when I was in college, again in college, and also in law school for the Constitution. I just felt that we're so lucky as--as Americans to have that document and as it turns out, to be the longest democracy in the world's history. And I did not like to see those two fellows appointed to the Supreme Court and that kind of got me going a little bit. And I said that's wrong; you know maybe I can do something about that.

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But actually before that the seeds were--were planted when I was--went to college; I went to an overseas campus and I went to school six months in France and then after that I realized I had not learned anything. So I--I was with 80 students in the same building, so I did not learn the language that's for doggone sure. So I just stayed overseas for another year. I put a knapsack on my back and--and a little handbag and hitchhiked around the world for a year. And it was during that one year that I realized the world is getting smaller, our resources are diminishing, and I know that one year opened my eyes and planted seeds for later--germinated to a later interest in public service. And so all that kind of accumulated and so I said hey; I've been away from home for a long time. I want to go home. I'm a Montanan. All of us Montanans we love our State so much so I decided I wanted--I wanted to go home and I wanted to go home and serve. I wanted to do something.

00:05:38

Evan Barrett: You know let me pull up a picture here, an earlier picture, and this--this of course is early Max Baucus as many of us remember you but earlier than that and relevant to your kind of sense of--is this picture here which was taken when you were at Boys Nation in 1959?

00:05:57

Max Baucus: Yeah; that was the summer of '59. That's right. Yeah; I--I got back--you know Montana, every State had a Boys State and I went to Boys State and they selected two to go to--to Washington, DC. And the other fellow with me is Larry Short from Billings. And we--we met Mike and Lee and--

00:06:19

Evan Barrett: Yeah; Mike Mansfield was the Junior Senator then.

00:06:22

Max Baucus: That's right.

00:06:23

Evan Barrett: The Senior Senator was Senator Murray.

00:06:25

Max Baucus: That's correct.

00:06:26

Evan Barrett: And then Lee Metcalf was still a House Member.

00:06:28

Max Baucus: That's correct; that's right.

00:06:29

Evan Barrett: Although soon to be--to replace Murray.

00:06:31

Max Baucus: That's right.

00:06:33

Evan Barrett: That must have wetted your appetite a little bit.

00:06:35

Max Baucus: Well it did. Yeah; I remember walking into Senator Murray's office and my gosh--huge, big, thick red carpet. You bounced on his carpet walking across to shake Senator Murray's hand. But also Mike took me to lunch at the dining room there and just--it was--it meant a lot to me to have lunch with Mike Mansfield.

00:06:53

Evan Barrett: He was an inspiring guy.

00:06:56

Max Baucus: And very much for me. He's one of my--one of my inspirational figures.

00:06:59

Evan Barrett: So you--when you talk about--about being out of state and wanting--having that pull to come back it reminds me of myself when I--I ended up starting at Montana State but I ended up at St. John's University in Minnesota. And Minnesota was a wonderful place to be and everything else and I liked the politics there and everything else, but I--I looked up and you know what? No mountains; and I looked--and I was getting a job. I thought this is not for me. I got to get back to Montana. **[Laughs]** So you--you were pulled back by the nature of the State and--and you arrived just in time actually for the Constitutional Convention.

00:07:36

Tell us when you--when you--how you heard about that and then how you ended up getting involved with the Constitutional Convention.

00:07:42

Max Baucus: Well I was pretty excited about the Convention. I thought this is--this is something; this is historic. The States don't have Constitutional Conventions very often and we in Montana are having one. And it's a--a great opportunity to kind of write a Constitution somewhat patterned under a Federal Constitution so I wanted to come back and part of that.

00:08:05

And I went to work for the Convention as a staff member and especially--I specifically worked for Leo Graybill from Great Falls who was President of the Convention, great guy. I learned a lot from him.

00:08:18

Evan Barrett: You know we've heard so much about him in other programs and all the programs about the Constitutional Convention. Everybody speaks so highly of Leo's leadership of that Convention and--and both firm but fair. You know and clearly I think some of--by the way, I think the staff, not just you but when you look at the staff of that Convention it was a pretty amazing group of young people wasn't it?

00:08:44

Max Baucus: Well it was--I'll tell you; we were blessed. We had each of the Sections of the Constitution was--had a staff. And somebody headed up each of the staffs for those Sections. The people we had were just aces. They were terrific. I mean they were some of the smartest, most dedicated younger people I've ever had the opportunity to be with. We're very lucky as Montanans to have them. They helped shape and helped write the drafts for each of the various articles of our State Constitution. And they're--I can't praise them too much.

00:09:22

Evan Barrett: You know a number of them have been on our shows as we've dealt with different segments of the Constitution and what we--I discovered as I started digging into this thing, I knew a lot of them and I knew how good they were. But they did this preliminary research and wrote it up for--

00:09:38

Max Baucus: That's right.

00:09:39

Evan Barrett: --the Delegates in the Committees to look at. And so I was pretty amazed when I looked at--Bruce Severs had written a 240-page book essentially about education and I thought that was something. And then I

looked at what Rick Applegate wrote on the Bill of Rights and it was a 440-page book that he wrote that everyone--
Brilliant people and--and both of those, too, have participated in our film.

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Max Baucus: They were both very good.

00:10:00

Evan Barrett: And Rich Bechtel is part of it and then Roger Barber is going to be here for part of it and Jerry
[Hollerin] is going to be here for part of it. And so here you are; you were one of that staff, but you were working
directly with Leo to start with, right?

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Max Baucus: That's right.

00:10:14

Evan Barrett: And you were coordinating Committee activity a lot and--

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Max Baucus: Well that's right. My job was to kind of help the Committees coordinate and work together. And then
later on it turned out that way--as Acting Executive Director of the--of the Convention. But basically, I did not do
the substantive work. The substantive work was done by Jerry [Hollerin] and by the Bruce Severs and by the Rick
Applegate(s) and others of the Committee. They're the ones who really worked hard, and of course as Delegates
themselves we decided which portions to write.

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But when you stop and think about it there's no way in the world that Montana could write that
Constitution today. It--we're in a different era today; it's a different time. Back then you could just feel progressive
stirrings. It's a--Montana was--Delegates since; this is a moment in history--not to have this opportunity again and--
and rose to the occasion and wrote in my judgment one of the best Constitutions that has been written.

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Others have tried. Other States have tried, but we in Montana did a pretty good job.

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Evan Barrett: You know everyone pretty much--the scholars included have said this is probably the best State Constitution in America now as a result of that activity. But I like to look at it and think that one of the reasons why there was such an explosion of concern and progressivity was at that time we were just shaking and just getting rid of the copper collar. We had 75 years where we were essentially a corporate colony and it's hard for people today to realize what getting unshackled from that copper collar meant to this State. We had to explode out and do things that involved people. And I think that was the hallmark of your days in politics and your emergence in politics was about empowering people. You fit right into that.

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Max Baucus: Well you know it's interesting. There's several provisions in our State Constitution which mean a lot to me. One is our Preamble; I think our Preamble pretty well--

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Evan Barrett: We did a program on that.

00:12:26

Max Baucus: Yes really it's interesting. That doesn't surprise me because the Preamble is--is I think--

00:12:31

Evan Barrett: Beautiful.

00:12:32

Max Baucus: --is an essential part of our State's Constitution and well-represents what the Constitution is all about. But in addition, you know the Right to Know provision; it meant a lot to me. I thought that was--that was

revolutionary. And it's--I know it's caused a lot of problems for a lot of public officials [*Laughs*] in our State since then but it's the right thing to do so the public has a lot more availability.

00:12:56

The Environmental Article was very strong. Of course the environment is very closely--is very deeply enshrined in our State's Constitution. But there's a lot of progressive provisions in there that could not be written today.

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Evan Barrett: We--we did a program on the Preamble and the Environmental which especially focused on that clean and healthful environment language which was a real struggle to get in even then. And then it's stood the test of time. You know we--we looked at all of these particular segments and--and the people that were participating--pretty amazing story.

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Max Baucus: One thing about it I'll never forget. It was during the debate on the Environmental Article it was when the Delegates meet--

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Evan Barrett: Robinson then.

00:13:52

Max Baucus: Back then it was Robinson and [Ellison] later, but [Nan] Robinson, Delegate and she was very good; she's smart. She got up and she was strongly advocating for the inclusion of the--of this Environmental Article in the Constitution. And another Delegate stood up and--and questioned her, debated her, and during his remarks he said well Ms. Robinson, just what would you do if you wanted to bring environmental action under this Constitution; what would you do? Where would you go? What would you do?

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And she right away said **[Laughs]** well I'll tell you one thing I would not do. I would not go to you to enforce it. **[Laughs]** And it brought the House down. Jim took it very well.

00:14:36

Evan Barrett: And you know it took--they said it took eight votes to get that language in the Environmental Article. And there is a really interesting story but I'm not going to reveal it here. We'll ask people to tune into that segment--that episode because it's a--it was a really amazing thing. The people power aspect of this, the--the open government stuff, we did a program on that with Mike Meloy and open government and we're the only State in the nation that has in a Constitution the Right of Citizens to Participate in their government, not just the open meetings, open records, but the Right to Participate. So how those things--you know it's interesting when you put real people in a room together and--

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Max Baucus: Well I'll tell you one thing that happened though is we in the State were pretty smart. I didn't do this but the State was pretty smart in my judgment; that is Delegates could not be sitting Legislators. And second, Delegates could not run for the Legislature once they served their term. That enabled them to do their work, enabled them to think okay; what's right, what's right for our State? It prevented them from--from demagoguery. It prevented them from using their position for later political campaigns. In my judgment it was one of the central reasons why we wrote a good Constitution. These are very, very good people, different parts of the State, some Liberal, some Conservative, but bottom line, they cared about Montana. They cared about Montana.

00:16:11

There's another fact here which I think is very helpful. It's the nature of our State; a couple points here-- number one, someone once coined the expression that Montana is really one big small town. That is very accurate. We are one big small town. We tend to know each other by one to two degrees of separation--maybe Aunt Helen or Uncle Pete knows somebody in another part of the State and--and we tend to know each other but we're separated in different communities. We may be up on the Highline, maybe down in the **[Inaudible]**, and we could be down in Eastern Montana, Southeastern Montana, wherever but we tend to kind of be together as a State and I think that separation of different communities where we tend to know each other and tend to know somebody that knows each

other binds us together as a--as a community. And the Delegates there knew that and they took great advantage of that in the best sense of the term.

00:17:07

There's something else about our State which I think is very important and that is the size of our State. It's so beautiful. It's expansive, the sense of space, the sense of empowerment; it's--of humility because of the distances in our State and it--it enables us when we're together and we were together because those 100 Delegates were not former Legislators or current Legislators and they couldn't run again at least for the next couple years--enabled them to work together to write a great document.

00:17:42

Evan Barrett: You know the way the Supreme Court interpreted that and they said no sitting Legislators could run. And so there were a few of the former Legislators but they couldn't be current and boy the Legislature was not happy with that. But it was something that really made a big difference that you had a citizen gathering at that point.

00:18:04

Now one of the things that happened was--and I've heard a lot of different stories about how it happened, but essentially when they adopted the rules Leo Graybill advanced a rule that said we would sit alphabetically, not divide down the middle by Party like you do in a Legislature, but sit alphabetically so that if the person next to you alphabetically was a Republican and you were a Democrat or an Independent it didn't matter. That's where you sat and that's how you worked. How--what was your perspective on that? Everyone seems to think that made a big difference.

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Max Baucus: Well we--we did not--Delegates did not run as partisan candidates anyway.

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Evan Barrett: Oh they did; no, they did.

00:18:39

Max Baucus: They--

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Evan Barrett: Yes they did; absolutely. We had--we had 59 Democrats and we had 6 Independents and we had like 30--45 Republicans.

00:18:48

Max Baucus: No; I think it's smart to be seated alphabetically. That's very smart.

00:18:52

Evan Barrett: Yeah what--

00:18:52

Max Baucus: And that was the sense. There was no sense of partisanship--none. I had forgotten they ran as partisan candidates but I'll tell you. During--

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Evan Barrett: Once they got there--

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Max Baucus: --when they got there, there was no partisanship.

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Evan Barrett: Yeah; I mean I've heard that from everybody we've spoken to you know. Regretfully right now there's only about 25 of the 100 left. And but they're all very insightful about what went on and they're such a big part of Montana history. And you were too. Now you were coordinating the Committees but then there was some staff difficulties, some changes in--in one of the predominant staff people who we all hear so well about Dale

Harris--played such a big role--couldn't continue. And you then stepped into the breach so to speak to keep that staff moving and keep it going.

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Max Baucus: Look I'm not going to claim credit [*Laughs*] for writing this Constitution. I helped out; I was more of a--a facilitator.

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Evan Barrett: Or manager.

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Max Baucus: Yeah; but it was the Delegates themselves. The Delegates were the ones who put this together and I-- I take my hat off to them.

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Evan Barrett: So at--at the--toward the end of the Legislature and toward the end of the Constitutional Convention which ended in March was also the filing deadline for the 1972 elections. And you filed at that time for the Legislature out of Missoula.

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Max Baucus: Correct.

00:20:16

Evan Barrett: You had moved back to Missoula.

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Max Baucus: I was always in Missoula.

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Evan Barrett: You were in Missoula.

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Max Baucus: I--when I came back from Washington, DC I moved to Missoula.

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Evan Barrett: Right and set up a little law practice there and--

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Max Baucus: Right.

00:20:25

Evan Barrett: --you ran. When you first--now having filed you went back to Missoula but helped between March and June--and June we had to pass it; it was on the ballot.

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Max Baucus: Right; yeah.

00:20:38

Evan Barrett: You participated a lot in helping promote it in Missoula didn't you?

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Max Baucus: I did but more of it was while the Convention was--was in Session. I'd go back to Missoula on weekends and I'd give a report to Missoulian(s) on [TGL] on the major TV station in Missoula and that was--I just wanted to explain to Missoula what's going on; it's a public service to explain to Missoulian(s) what we're doing and what's being debated and what the issues are and so forth as a way to get people in Missoula you know comfortable with what's happening.

00:21:10

Evan Barrett: Now it's interesting; the role of Missoula and other urban counties played but Missoula in a big way that the Constitution when it was up in June won by 2,500 votes. But the margin in Missoula was 6,500 votes. Missoula had 13,271 vote for it, 66-percent plus, and only 6,700 against it so there was a 6,500 vote margin in Missoula alone and a statewide margin of 2,500. So you guys in Missoula played a big role in making sure that thing passed.

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Max Baucus: Yeah; well it's--from my perspective we're lucky that it did pass. It made a big difference to the State.

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Evan Barrett: Well it was close because the interesting thing was when they called the Convention, 70-percent of the people said yeah let's have a Convention. And when they looked at the results it was 51-percent said yes. But when you get down to it, the Constitution was really about empowerment of people as a change from an empowerment of corporations which was the way the original WA Clark-created Constitution back in 1889 was about--more about the mining companies and the lobbying companies and so on. So it was a change of power.

00:22:20

Max Baucus: Right.

00:22:22

Evan Barrett: Now you took a lesson from all that in terms of when you just--you were running for the Legislature because though you were running countywide in Missoula, but before there was even single member districts.

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Max Baucus: Yeah back then we had--we had multi-member districts. That's right Missoula had eight, eight--

00:22:44

Evan Barrett: Eight elected in the House; yeah.

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Max Baucus: --eight at large.

00:22:45

Evan Barrett: And you ran but you did something most people didn't do; you did door-to-door for the whole county as much as you could get done? *[Laughs]*

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Max Baucus: Right; Missoula is a big county.

00:22:58

Evan Barrett: Yeah; did you actually go up to see the Lake and hit some doors up there?

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Max Baucus: Oh yeah; oh yeah.

00:23:03

Evan Barrett: So you knocked on all these doors. You were--

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Max Baucus: Well it was a lot of fun. I really appreciated it. It meant a lot to me to--if I could hold myself out to potentially represent somebody, whatever body, Legislature or whatever, it--it meant a lot to me to be able to talk to people to find out what's on their minds, so I could do as good a job as possible because after all, I'm talking to my

potential employers. I'm just the hired hand. I'm just the employee. Voters are the--are the employers and they're the ones who elect or don't elect me or anybody else.

00:23:43

So it meant a lot to me to go out and talk to people individually and so I did. I went around the county and knocked on doors and asked somebody what's on their mind and introduced myself and the central question I'd always ask is--is it something I should know if I am able to represent you and serve you in Helena? And more often than not somebody would not have a specific thing to say but sometimes people would have a lot to say.

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I also learned a lot going through all of Missoula County because Missoula County there's some wealthier sections and there's some poorer sections. If you go to a poorer section in Missoula County and knock on a door you--you know often it would be an elderly woman, shut in, and just--just lonely and just kind of down on life and sit and talk to her. Sometimes it would be a guy; I'd sit and talk to him. But it--it opened up my eyes a lot and enabled me to get a--have a better idea if I'm going to aspire to represent Missoula County to represent my prospective employers you know the people of Missoula County--gave me a good sense of what's on people's minds. And it enabled me to then act with more confidence when I was in the Legislature to vote this way or that way because I had--I had talked to Missoulian(s), I connected with Missoulian(s); it was very important to me.

00:25:07

Evan Barrett: Uh-hm; now going to all these doors was basically emblematic of this empowerment of people that we're talking about in this whole period. The change in the Constitution was an empowerment of people. You going and talking to people at their doors was a way that they're empowered. And--and surprising and maybe it's because of that--out of those eight people how did you do? I mean you had 16 running but you--you had to run and 8 were emerged. How did you end up?

00:25:33

Max Baucus: Well I did--I did okay.

00:25:37

Evan Barrett: I heard you got number one.

00:25:37

Max Baucus: Yeah; it's--yeah it's--yeah but it's--the main thing is I was just able--since I had knocked on so many doors in Missoula County I was able to get--represent the county with some sense of confidence.

00:25:52

Evan Barrett: Yeah; well I think it does speak to people responding to--to being approached at that level, the grassroots level which again is what this whole period seemed to be about, a disempowerment of the powerful and an empowerment of people. And that's the story of this whole period in a lot of ways. Now when you went to the Legislature, I remember your--when you were running; at that time I was Executive Director of the Democratic Party and we knew each other a little--somewhat at that time. And I always remember the--the plaid shirt.

00:26:33

Max Baucus: Oh yeah.

00:26:33

Evan Barrett: You know you had a--a look about you which was a real people look. And you went off to Helena--you went off to Helena and you got engaged in the Legislature. Tell me about your--and by the way, the only two Annual Session periods we were at we had a '73 Session and '74 and you were in both of them. What was your--how--what did you think when you got to the Legislature and what did you try to do?

00:26:58

Max Baucus: Well there are a couple things that--that were important to me. One is the--poll booth registration. I just felt that everybody--

00:27:05

Evan Barrett: Poll booth registration?

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Max Baucus: I felt everybody should--you know it didn't make much sense to me the people had to wait I guess 40 days or whatever it was to register to vote. But what if you didn't have--you weren't able to? One person--a person should not be disenfranchised, should not be disallowed the ability to vote just because he or she didn't register in time, so I pushed that. But I didn't get very far frankly. *[Laughs]*

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Evan Barrett: But now think about it; now that's 42 years ago. You were way ahead of your time because that's an issue today. It was an issue in Montana this last year.

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Max Baucus: Yeah and it is an issue even around the country in lots of different States to this day, too, correct.

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Evan Barrett: You know we just had an initiative in Montana where it was suggested that we get rid of poll booth registration and the people resoundingly said no.

00:27:52

Max Baucus: Uh-hm right.

00:27:53

Evan Barrett: But you were so ahead of your--your time on that and it's a concern. Participation being so--the bedrock of democracy has got to be participation.

00:28:01

Max Baucus: Right; right, exactly.

00:28:02

Evan Barrett: And so that was your primary Bill but you also had another one that was a way to make government work for people and that was an Ombudsman Bill.

00:28:11

Max Baucus: Yeah; I--I felt--I've forgotten where I got the idea but I felt that somebody should--at various you know State government agencies, be there to stand up and represent the--the people in addition to the--let's say the department director who directly represents the people of our State. There should be somebody also who represents people at a hearing; it might be before that department or agency. It's a concept that's been--I think it was developed in the Northeastern States. I've forgotten where. No; it was--I think it was in Europe. But it's--anyway I felt that was important.

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Evan Barrett: There was--I think--I don't remember if it was in the Constitution, I think it is--there was a little tip of that hat toward that a little bit with that thing called the Consumer Council which was--

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Max Baucus: Right; exactly right.

00:29:01

Evan Barrett: --to help represent some folks during a utility hearing. But you wanted somebody who could represent people that way and eventually that I believe got melded in a way to the Citizens Advocate function in the Governor's Office which was brand new then under the new Governor.

00:29:19

Max Baucus: Right; right.

00:29:22

Evan Barrett: So--

00:29:22

Max Baucus: Right; it's the same concept.

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Evan Barrett: And the Citizens Advocate which started in 1973 is still in place today.

00:29:33

Max Baucus: Yeah.

00:29:34

Evan Barrett: And still to this day they--the same phone number they had then and they get thousands and thousands of calls every year of people saying help me with this problem with government. So again that was all about people.

00:29:49

Max Baucus: Right.

00:29:51

Evan Barrett: Did your participation in the Legislature, two terms like that; when did you start thinking maybe Congress might be a good idea?

00:30:02

Max Baucus: Well I--it was pretty early actually during the two years in the Legislature. I--it's--I felt that I wanted to represent not only Missoula County but all of Western Montana. Back then we had two Congressional Districts, not one as we currently have today. And so I wanted to represent more than the county. It's--I like Missoula a lot

but you know I got Butte and Western Montana [*Laughs*] and got Helena and Bozeman and other--other--Kalispell and other cities in the State. I wanted to represent the entire--the entire western part of Montana.

00:30:43

Evan Barrett: So you started thinking early on but my recollection by the way again in keeping with your sense of empowering people and asking people, you must have had a conversation with half of the Western District asking them about whether you think--what do you think? I remember you coming and you and I sitting underneath the tree in my front yard and you were saying Evan I'm thinking about this Congressional thing; what do you think about it? And I certainly was only one of hundreds that you had to have talked to. Was it partially because of--they weren't happy with the representation we had with--at that time it was--?

00:31:20

Max Baucus: No, no, no; I--no, no, it wasn't that. It's--I just--I just--I wanted to get people's views and that's why I would talk to a lot of people and ask their opinions generally. It wasn't because I wanted to oppose Dick Shoup. Dick Shoup who represented Montana, Western Montana at the time is a good man. No; it wasn't that. It was just that I--it's--it's--that's the whole thing in life. I think it's important to kind of pursue what you want to do, what you think is most important and most fulfilling for you rather than trying to beat somebody else. This is what I wanted to do. I wanted to represent Western Montana. It wasn't that I wanted to defeat the incumbent. That's irrelevant. I don't care who the incumbent is; it's just that I felt that I could do a very good job representing Montana. So that's why I ran.

00:32:11

Evan Barrett: Well you know that speaks to kind of--kind of the way life is in a way. If you--and if you're lucky enough to really, really want to do something and then you get the chance to do it and by--by the way I'm doing this thing I love and guess what? I even get paid to do it. And it's not that the pay means a thing. What means something is that you're doing what you love.

00:32:37

Max Baucus: Yeah; true.

00:32:37

Evan Barrett: And boy that gets you up in the morning doesn't it?

00:32:40

Max Baucus: Yes; it does.

00:32:41

Evan Barrett: I think that--I know in my life I've always been blessed that almost--almost every day that I got up to go to work I had something exciting I wanted to do.

00:32:54

Max Baucus: That's a good place to be. *[Laughs]*

00:32:56

Evan Barrett: You've had that kind of life as well haven't you?

00:32:59

Max Baucus: Well I don't know. As you get older you learn a few things and one is do your very best. You do the best you can with what you got. And just go for it. Basically in life we've got two choices as I see it; one is to try and the other choice is do nothing. Ask the questions and answer it, so of course we try. And then once we try we've got another choice which is do we try our best or not? Of course we try our best. And most often *[Laughs]* I try to do the best I can with what I got and a lot of it too is serving people. I think the most noble human endeavor is service. It's service to church; it's service to a synagogue; it's church to family, church to community; it's church to friends to family. It just--or public service, it's just service. And that's what drove me frankly when I left Washington, DC back around 1970 or whatever year it was--was to serve. I just wanted to serve the people of Montana and it's as I stated earlier, it's--I think the seeds were laid much earlier when I--than that when I hitchhiked

around the world and saw people and met people. And back then I learned that people were the same worldwide basically. They just want to have a decent income, decent living, take care of their kids, decent healthcare, decent health; people are alike worldwide. And so I wanted to help make sure that people I lived with, Montanans got a good break.

00:34:34

Evan Barrett: Well you know and again, our paths are quite different but I would say that's a common element because even when I was not in government, well I did--was involved in government for a number of years and I was in Economic Development which is about trying to find economic gain and help for people with jobs and stuff. And so gosh I--I couldn't agree more with you and I think that there's a real message in your life about service that needs to resonate with young people today. When times are tough sometimes it's hard to think about that but serving others is really such a fulfillment that if--if we can inspire young people to say one of the first things I want to do is it isn't just about getting that paycheck; it's about am I making a difference for people.

00:35:31

Max Baucus: Right at any level. It could just be your spouse. It can just be a child that you're helping--that you're helping. It can be someone in your neighborhood. It can be at any level.

00:35:42

Evan Barrett: Yeah and part of the purpose of this series we're doing now is to help convey the message of participation to a generation, a new generation of people who aren't familiar with what went on in the 1960s and 1970s and it's a remarkable story to be told.

00:36:00

Now in your case you finally decided you were--after talking to all those folks including me and asking about--should I run for Congress, run may be the wrong word--you decided to go for Congress in the Western District. And you were in a three-way race against the former Congressman Arnold Olsen, against a former Legislator and soon-to-be future Congressman, Pat Williams and yourself. Now there's three remarkable people by the way, three remarkable people.

00:36:30

Max Baucus: Well two of them are. *[Laughs]*

00:36:32

Evan Barrett: Yeah; no, and I mean what--what an amazing amount of talent to be on the--you know running at the same time, but you didn't run. You actually--I want to put this up here for folks to see because you actually walked for Congress.

00:36:50

Max Baucus: Right.

00:36:52

Evan Barrett: In keeping with your idea of being able to connect with people you decided to go from Gardiner to **[Yaak/Yak]** was that it? Gardiner being what--?

00:37:04

Max Baucus: Well down at Yellowstone Park, up North.

00:37:07

Evan Barrett: So that's the South--almost the Southeastern corner of the District at the time.

00:37:12

Max Baucus: Right; right.

00:37:14

Evan Barrett: And **[Yaak/Yak]** being the Northwestern?

00:37:17

Max Baucus: Yeah; right, yeah, right.

00:37:19

Evan Barrett: And you walked that entire distance.

00:37:22

Max Baucus: Yeah; I remember talking to Mike Mansfield about it and I said to I might walk up to the [Yaak/Yak]. And I asked him what do you think? What do you think about that? And he said yep.

00:37:35

Evan Barrett: Yep. [*Laughs*]

00:37:37

Max Baucus: He says yep; put [Yaak/Yak] on the map. [*Laughs*] That was a good idea. So I did. No; yeah I--I you know I liked being out--like all Montanans, we like the out of doors and I very much liked to be out of doors. I like to hike. I like to fish. I like to ski. I just like the out of doors. I'm running this morning for example. I just like being out of doors. And--and then frankly I like walking out of doors and hiking and so forth. So it just seemed natural to walk across Montana at that time because when you're walking, too, not only are you out of doors which I like, but what more beautiful State is there to be out of doors in than the State of Montana. But also you tend to meet people that you otherwise wouldn't meet. Otherwise, I'd be going to meetings and political rallies and so forth and it's the same kind of people.

00:38:30

Evan Barrett: Round up the usual people.

00:38:31

Max Baucus: The usual people all the time and I--I know the usual folks; I wanted to meet new folks. I wanted to meet people who you know just aren't part of political organizations. And it's--so by walking I was able to do so and I--people would stop and talk and--and the rules I set up where I had to walk every step of the way and I did. But sometimes [*Laughs*] somebody would try to entice me to get in the car and drive up a little bit.

00:38:58

Evan Barrett: Just cheat a little, just a little.

00:39:00

Max Baucus: No; no, I can't do that. I'm not going to do that. It was--it meant an awful lot to me to be able to see people at that level.

00:39:07

Evan Barrett: By the way, it was amazing; again I was Executive Director of the Party and observing the processes at that time and to--but when we go back and look at the--I mean in today's world to look at what it cost to run for Congress in those days.

00:39:24

Max Baucus: Yeah; well that's--that's true.

00:39:26

Evan Barrett: My recollection is I think your Primary was about a \$22,000 Primary or something like that. I mean and--

00:39:33

Max Baucus: Well that's right. It is expensive and that points obviously to nothing major. The problem today is that's all the money in politics today because back then there's a lot less money.

00:39:47

Evan Barrett: Yeah; so this people connection thing meant a lot more. You were speaking more through eyeball to eyeball contact even though you did run ads and stuff. I mean your primary contact was direct with people.

00:40:00

Max Baucus: Right; I mean you know we're lucky, too in Montana because we're--excuse the expression--*we're a retail State and not a wholesale State*. It is Montana; you tend to get elected or unelected on a personal basis. They either like you personally or don't like you personally. Whereas in a much larger State, California or New York or something--a wholesale State; it's TV, it's all this media and so forth. You don't meet people personally. But we're lucky in Montana that we get to connect personally.

00:40:28

Evan Barrett: Well you know I mean the--the symbol of that I think is that the citizens think of their elected officials as people they really know, and they do; they call them by their first name. I always think about it. It always was Mike, it was Lee, it is Max--

00:40:46

Max Baucus: Right; true.

00:40:49

Evan Barrett: --it was Pat and so on and so forth. That--

00:40:51

Max Baucus: Oh it's great. That's--that's one of the great features of our State. **[Laughs]** We're egalitarian, we Montanans. We--we don't like people putting on airs. In Montana if you put on airs we take that person down pretty quickly. **[Laughs]**

00:41:08

Evan Barrett: So our own deflate game with that, huh? *[Laughs]*

00:41:10

Max Baucus: Yeah; we don't--we don't like people putting on airs. We like people to be people. And it's--and it's true--the airplane going back to DC it's hey Max; straighten those guys up back there--and it's not Senator. It's always Max and I like that a lot.

00:41:26

Evan Barrett: Yeah; well I think that closeness is unique to Montana. As you said we're like a small town with really long streets. We all seem to know each other and--and the--by the way the immenseness you talked about in Montana, how big it is and how beautiful it is, they say Big Sky, we're talking about a lot of sky that if you actually took the State of Montana and you laid it on the map and Eastern United States if you took the Northwest corner of Montana and put it on Chicago, the Southeast corner of Montana would touch Baltimore. And it's hard for people to realize how immense we are but you discovered that walking.

00:42:06

Max Baucus: Yeah. *[Laughs]*

00:42:07

Evan Barrett: You know and that was only half the State or even less than half the State back then. You didn't stop that; that wasn't the only time you walked. You walked later the whole State.

00:42:18

Max Baucus: That's right but it wasn't much fun. The first time was a lot more fun.

00:42:21

Evan Barrett: Yeah; yeah and the other thing you--you know I'm going to jump ahead here--that you did that tended to connect you to the real world and to people, throughout your career was the job days that you did where

you actually came out and performed--spent a day working a job of a regular person to keep your feet on the ground so to speak. Was that--that was a pretty real thing with you wasn't it?

00:42:49

Max Baucus: Oh I loved it. It was--it was very important to me. I think there was about 100 different times during--over a number of years. Yeah I'd show up at 8 o'clock in the morning with my sack lunch and I was there to work--not watch but to work, physical work. And during the lunch break we'd have lunch and the guys and gals and keep working. I--I liked it a lot. When I'd show up at 8 o'clock, you know a lot of guys and gals, man who is this guy? Who does he think he is that he can come work with us? But after a while they realized you know after you know I got--boxed something up and made a big mistake and you know and hit my hand with the hammer and so forth and I was a real person, and then we'd have lunch and then they'd ask me a lot of good--often very good tough questions. I learned so much at those lunch breaks. People would--these are basic ordinary wonderful people, asked me questions, raw questions that were on their minds, who would not have that opportunity to otherwise ask. And it was very, very important to me.

00:43:55

Evan Barrett: Uh-hm; well it was such an important part of--if you think that the empowerment of people, so much about--so many people in the political world think it's about them as opposed to about the people. And clearly you were you know in that second category big-time. I want to remove this picture and replace it with this one. This is the--perhaps one of the more memorable campaign photos I have ever seen in my 40-some years in the political world. Just take a look at that; you were walking for Congress for sure in not the best weather always, but tell us about that.

00:44:38

Max Baucus: That was--you know that was the first day.

00:44:40

Evan Barrett: The first day. *[Laughs]*

00:44:42

Max Baucus: The first day. *[Laughs]* Yeah I was--I got up early in the morning in Gardiner and started walking over **Inaudible**. Low and behold a blizzard came up. *[Laughs]* And it was more of a squall; it didn't last terribly long but it was--it hit pretty hard for about half hour or so, and the middle of it, and it's--eventually made it up to the camper. I had a camper ahead of me. That's where I spent the night. It would always be a couple miles ahead of me in the--you know I had my name Max--big letter M-A-X on the side of the camper, parked on the side so people driving down the highway have some idea of who this nut is walking down the highway. *[Laughs]* And anyway that's--that was the first day.

00:45:24

And I--you know it's--it's the old thing; once you start something you finish. And I went oh this is--it's going to get better. It's not going to get worse--that is the weather. *[Laughs]*

00:45:35

Evan Barrett: Uh-hm; now that photo is so dramatic, I always thought it was very helpful.

00:45:44

Max Baucus: Well I don't think it was helpful.

00:45:45

Evan Barrett: Don't you?

00:45:46

Max Baucus: No because it wasn't published in Montana. That--that photo appeared in papers all across the country but the Montana papers didn't pick it up. *[Laughs]*

00:45:57

Evan Barrett: They didn't huh?

00:45:57

Max Baucus: No.

00:45:58

Evan Barrett: Now did you--in the middle of that squall did you think is this a good idea or not? *[Laughs]*

00:46:03

Max Baucus: No, no, no; I knew--no, no. It's just--no; it's just a bump in the road, you know. I knew I wanted to run for Congress. I wanted to represent you know people in--in Congress, so no that was just a little--a little incident.

00:46:19

Evan Barrett: So you had a Primary and then you walked all the way to **[Yaak/Yak]** and you did, all the way.

00:46:24

Max Baucus: All the way.

00:46:25

Evan Barrett: All the way. When the Primary was done you were clearly the winner of that Primary. Then you had to run a General. In between the Primary and the General in 1974 Richard Nixon resigned. It--it clearly--there was big bad stuff going on in Washington, DC--

00:46:45

Max Baucus: Correct; right.

00:46:46

Evan Barrett: --that kind of dovetailed with your people orientation as--tell us about that.

00:46:51

Max Baucus: Right; well you know to be honest I was a little naïve. I--I wanted to represent Montana and so I worked hard to meet people and explain why I thought I'd be the better person for that job. And I remember driving in my little car, a little red Beetle and I was listening to President Nixon resign. It was during Watergate. And it just--it was a little blip in my mind. Oh this is interesting. I didn't--it didn't really dawn on me; I was so naïve at that time--that this might have a positive effect on my getting elected. That it is it might be revulsion. The people were getting so resulted with Watergate in Washington and so forth that maybe that will tend to encourage voters to sweep the old guys out and put new guys in. It didn't really dawn on me very much.

00:47:46

But frankly later on that Watergate election had a very big effect on--on opening up the Congress. I don't want to go in great detail--

00:48:00

Evan Barrett: It was a huge number of people elected new that year.

00:48:04

Max Baucus: Right; right.

00:48:07

Evan Barrett: So it did have a sweeping effect.

00:48:08

Max Baucus: Well it had a huge effect and in lots of practical ways. For example, when I arrived, you know all the new members that got recently elected were talking to the Committee Chairman and the usual process was the Committee Chairman would interview the new members to see whether you could be on that Chairman's Committee or not. We turned the tables. We interviewed the Chairman. And I remember one meeting we were--a bunch of us were talking to one fellow who wanted to continue to be Chairman of one of the Committees and I

remember thinking this guy is not up to it. He should not be Chairman of that Committee--even though he's an old, old member of Congress and been there for umpteen years.

00:48:49

Evan Barrett: Seniority having meant everything to that point.

00:48:51

Max Baucus: Exactly. And so I--I had to leave early. Frankly I had to go to a funeral and when I walked out Roger [Mudd] who was a major newscaster back then asked me, well Congressman. What do you think of that fellow; should he be reelected Chairman? And I said no; he's not up to it. He said are you willing to say that in the camera? I said sure. And so I did. And he was booted out. He did not get reelected.

00:49:15

But just an example of Watergate and that period when newly elected members of Congress were--were changing the way Congress operated, changing it more to a way where the process was much more open than it was in the past.

00:49:32

Another example, there was a--after I was there about I don't know several months or something I had some free time, so I thought I'd go to a--watch a conference on a big Tax Bill. I could learn something; I could learn about tax policy and I could learn from the House and the Senate. The Senate conferees were meeting with the--with the House conferees on this big Tax Bill. Well I tried to find out where they were meeting and I couldn't find it. And it was a secret. And I--

00:50:00

Evan Barrett: Just the opposite of what we did with our Constitution in Montana.

00:50:03

Max Baucus: Exactly; well that influenced me. That was--and that's wrong that--that should be a secret. So I--I walked--asked around where are they meeting? Nobody knew. Well I know somebody who might know and it was

Mike Mansfield's office. So I called Senator Mansfield's office and they found out where the meeting was. So I went over to the meeting and there was a policeman standing at the door. And he wouldn't let me in. And I--I was a bit disingenuous and I said well I'm a member, rationalizing a member of Congress, but--

00:50:31

Evan Barrett: Hoping he'd think you were a member of the Committee.

00:50:33

Max Baucus: --of the Committee. **[Laughs]** Well he let me in. And there's a bunch of people in there, Executive Branch people and I took a seat way out in the corner just to watch and after a while somebody walked up to me and his name was Jimmy Burke. He was a member of the House from--from Massachusetts and he said I got to leave. And I said why do I have to leave? He said well this is--this is secret. He said no, this is closed. I said what do you mean it's closed? He said it's the rules. So I asked well what rules? And he said well they're the Senate rules? And I said what Senate rule? And he didn't have an answer and I said okay I'll leave; I'm not going to cause a fuss here, but this is wrong and I'm going to do something about this.

00:51:14

And so that next day Congressman **[Inaudible]** and myself stood up on the House Floor and we said hey; these should not be closed. These conferences should be open to the public. And we got the rules changed.

00:51:24

Evan Barrett: Well it took a little bit of Montana back to Washington--

00:51:28

Max Baucus: Right.

00:51:28

Evan Barrett: --in that way. Let me--let me put up another picture here which is when you were first back there because this was in 19--late '75 or early '76.

00:51:41

Max Baucus: Yeah in there somewhere.

00:51:42

Evan Barrett: We have you, Eastern District Congressman at the time John Melcher, later Senator, Senator Mike Mansfield, and Senate Majority Leader Mike Mansfield.

00:51:54

Max Baucus: Correct.

00:51:55

Evan Barrett: And Senator Lee Metcalf, you're all holding an American flag with the Capitol Dome behind you. Without focusing on the picture give me a few comments about those three gentlemen that you were able to work with.

00:52:08

Max Baucus: Well they're--they're Montanans, all very different but all Montanans. **[Laughs]** They're just very, very good people. I have regard for each of the three.

00:52:19

Evan Barrett: Now people say that if there was somebody who was a mentor for you it would have been Mike.

00:52:28

Max Baucus: That's--that's true.

00:52:29

Evan Barrett: Tell us a little bit about that.

00:52:31

Max Baucus: Well I'd--I'd heard a lot about Mike Mansfield a lot when I was younger. There's just something about his style, his statesmanship, his demeanor, his fairness, his openness, he's a man of few words; it didn't take self seriously at all. And his fairness; he would often say you know he--in fact, before he died he was talking to a bunch of students and he said now remember; you're not--the other guy is not always wrong and you're not always right. And it was a hallmark of Mike. He just--put yourself in the other guy's shoes and see the world how he sees it or she sees it, so that you can reach some kind of an accommodation. That was very much Mike.

00:53:22

Also, he always ended a meeting as you know with that wonderful Butte phrase Tap 'er Light. And that was--that was to me his way of saying you know keep cool, keep calm; you know it's moderation. Don't get to wrapped around the axle. We're working together and we got to--have to get solutions here. We need to get results. And that was very much Mike.

00:53:44

Evan Barrett: You know no matter where he was your conversation always ended with Tap 'er Light.

00:53:49

Max Baucus: That's correct.

00:53:50

Evan Barrett: I always remember he used to--when I would meet him at the offices when he was at Goldman Sachs' offices and he would escort you right to the elevator and as the elevator door was closing Mike would say Tap 'er Light.

00:54:03

Max Baucus: Yeah; I went to see him at Walter Reed Hospital before he died and those were his last words to me.

00:54:09

Evan Barrett: Yeah; yeah and interestingly by the way, and a bit of a parallel if you will of some note is that when he stopped being Senator he became the Ambassador to our biggest--the biggest economic entity in Asia at the time, Japan, and when you've stepped out of the Senate now you've become the Ambassador to China. How do you feel about that?

00:54:36

Max Baucus: Oh it's an awesome responsibility. I've been very honored. President Obama called me up at half-time at the Cat/Grizzly Game [*Laughs*] a year and a half ago and--and stunned, ecstatic. It's almost a life's dream. Why? Because this relationship of US and China is the most important relationship in the world at this point; this is historic and we've got to get this relationship right. The United States is the largest economy, established power. China, a rising power; the second largest economy, two very different cultures, and when these two cultures and two economies meet we've got to make sure that they meet in a good, solid way and not in a--in a disastrous way. And so I feel very-honored to have this responsibility and very honored because it's in some way the parallel with--with Mike. No one can be--have the stature of Mike Mansfield, but you know he--his first choice was to be Ambassador to China. That was already taken so he then became Ambassador to Japan.

00:55:50

Evan Barrett: Remember of course his nickname when he was Professor at the University was China Mike.

00:55:54

Max Baucus: That's true. It was. I read a speech by him recently. It was given in 1968. It was very, very farsighted impression. It was--it was amazing about the role of China in the world and he--he was a very wise man. Of course he taught East Asian History at the University but he was a very wise man. That's another reason he meant so much to me. I could just sense--even as a younger person that China is going to be very important to our lives and it's becoming even more important than I then realized.

00:56:30

Evan Barrett: A parallel when you talk about the way you spent your political career essentially being part of this empowerment of people and--and when you think about Mike's roots being in the underground mines in Butte and--and Marine, getting him educated and him ending up a Congressman and a Senator, pretty, pretty amazing. Well a couple parting--we're about ready to wrap up. I told you this hour would go by very fast. Quick reflection on your--this period, the early '70s--

00:57:06

Max Baucus: Oh.

00:57:08

Evan Barrett: Did it stick with you?

00:57:09

Max Baucus: Oh yeah; well [*Laughs*] it's--my impressions of that time in our State's history are--are we're very, very lucky that we at that time came together and wrote a very solid progressive Constitution. And that period meant an awful lot to me. And it still does to this day. And it's--it's you know you treasure some of those moments and that's a moment I treasure very much.

00:57:41

Evan Barrett: Uh-hm; the Legislature set you on your way then.

00:57:44

Max Baucus: Sorry?

00:57:44

Evan Barrett: The Legislature then set you on your way to electoral politics. You seem to have found your home in that and it--you spent your life representing people. Well we're going to wrap up here. I want to tell you Max how much I appreciate your coming here and being part of *In the Crucible of Change* because you were part of it

when it happened. Your presence here I think speaks to the seriousness of our endeavor to try to convey this wonderful story of progressive change in Montana to generations looking forward and folks who maybe don't recognize what a strong people-oriented State we have in this State. And you've been a really big part of that--with the Con-Con, with the Legislature, and then representing us in Congress. So thank you so much for coming and joining us *In the Crucible of Change*.

00:58:34

Max Baucus: Well you bet Evan and thanks for putting this program on. It's a great service.

00:58:39

Evan Barrett: Great; so it's been such a great pleasure to have Senator/Ambassador Baucus with us and take part in looking at this progressive era of change. So thanks for joining us Max and thank you for joining us; we'll look forward to seeing you on the next program.

00:58:59

[Music]

00:59:58

[End Early Max Constitutional Convention - Legislature - Walk to Congress]