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Interview with Charlie Micoleau by Andrea L'Hommedieu

Summary Sheet and Transcript

Interviewee

Micoleau, Charlie

Interviewer

L'Hommedieu, Andrea

Date

July 3, 2007

Place

Lewiston, Maine

ID Number

MOH 445

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Biographical Note

Charles J. "Charlie" Micoleau was born on February 2, 1942 in Englewood, New Jersey. He attended Bowdoin College, graduating in 1963. He earned a master's degree in International Relations at Johns Hopkins University in 1965, and received his J.D. from George Washington University in 1977. Micoleau worked in Maine for an anti-poverty program in 1965, and eventually worked his way into the Maine Democratic Party ranks. He was a scheduler for Senator Muskie's 1970 Campaign, and became the Administrative Assistant from 1975 to 1977. He currently practices law in the firm of Curtis, Thaxter, Stevens, Broder, and Micoleau.

Scope and Content Note

Interview includes discussions of: Muskie in the 1970s; Vietnam War; My Lai Massacre; May Day demonstrations; Kent State College killing; Nixon administration paranoia; October 1972 speech; Nixon dirty tricks; CREEP; Carter-Muskie relationship; anecdote about writing legislation in 1960s; and the 1973 law night school-Vietnam anecdote.

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Transcript

Andrea L'Hommedieu: This is the fourth interview in a series of interviews we're doing with Charlie Micoleau for the Edmund S. Muskie Oral History Project. This is Andrea L'Hommedieu, and the date today is July 3rd, 2007. And Charlie, you just wanted to go back a little bit chronologically and talk about the context of the times and some other issues that surrounded your time with Senator Muskie?

Charlie Micoleau: Exactly, my, if I were studying the deeds and words of Edmund S. Muskie, I think it would be useful to understand what was going on at the time, and what were some of the impactful things that influenced all of us around him that were assisting, advising and working with him.

And so, I'm assuming a lot has been written about the presidential, Humphrey-Muskie presidential campaign of '68, and then the pursuit of the Democratic nomination for president in 1969 and '70 by Ed Muskie. But for those of us that worked on his staff as he was approaching a reelection campaign in Maine, while, in 1970, while at the same time pursuing his national interests was, the dominant factor, particularly strong within the Democratic Party, was the mounting protests against the Vietnam War. And the evolution of Ed Muskie's public posture on that is itself illustrative of the anguish a elected Democrat, or elected member of any party, feels when the president of the party has strongly held views with which you disagree.

But jumping ahead to 1970, I think it's, there are two very important things that occurred that might help folks in understanding some of Ed Muskie's statements at the time. The first in, was the Kent State killing, and that took place in April I believe it was of 1970. And that was a horrific event for young people in particular, because it was a student demonstration on a campus

in, for an easterner, it was a campus in the state of Ohio which was not seen as a hotbed of radicalism, at Kent State College. And the National Guard was called out and in the course of trying to control the student demonstrations there were gunsh-, rifles were fired and a student was killed.

And that had a tremendous effect on young people at the time, and influenced, must have had an influence on Ed Muskie, who presided over a family of young people as well as having to deal with young people in the course of his campaigning.

The second thing that happened in that year of 1970 was the prosecution of some of the military Army officers associated with the My Lai massacre, which was a village in Vietnam that it was subsequently discovered had been systematically, the villagers had been systematically killed by an Army detachment. But the most unfortunate incident took place after, and that was the cover-up of that by senior military officers. A minor little footnote: the principal military investigator at an early stage of that, was a major in the United States Army stationed in Vietnam named Colin Powell.

But in any event, this Lt. Calley was prosecuted, successfully, for his involvement in the cover-up and in the massacre. Many people thought he had been scapegoated, but President Nixon pardoned him immediately afterwards. Now why was that important to Ed Muskie? Well, it was really tangential. Obviously, the Vietnam War was a subject of a lot of conversation, private conversations, but the young man in the Army who prosecuted Calley was a fellow named Aubrey Daniels, who in protest resigned from the Army, resigned his commission, when the pardon came down, and went to work for a very good friend of Ed Muskie's, Edward Bennett Williams, and joined that law firm.

And so Ed Muskie presumably, and the rest of us certainly, had an opportunity to be not only outraged at President Nixon's exercise of power in pardoning, but to speak directly with some of the people involved, or one of the people involved.

So then we move forward to 1971, and again in the midst of the pursuit of presidential nomination aspirations. But we had in Washington D.C. what I think to many of us was a very profound event, and that was the May Day demonstrations of 1971. And they were highly organized demonstrations intended to disrupt the city, and led by the yippies, if people can remember that a yippie was a combination of a, or a coalition of yuppies and hippies, but it was, there was a great deal of guerilla theater that took place as well.

The May Day demonstrations were rather aggressively responded [to] by the Nixon administration and the park police, and the Army and the, or the National Guard and the city police, utilizing a plan that had been developed in the post 1968 riots. But they, originally there probably were close to fifty thousand demonstrators or more, but as a result of the police raid on where they were located in Potomac Park, near Lincoln Memorial, there were probably only ten thousand by the time you got to Monday morning that early first week of May.

But I can remember coming down on an express bus down Connecticut Avenue, going through clouds of teargas as the demonstrators were swept through Dupont Circle, and the irony, or incongruity of people reading the *Washington Post* while driving in a bus through a teargas cloud, (*unintelligible*) still remember.

But the shocking thing for many of us I think was to sit in the, or walk through the Capitol building, through Senator Muskie's office, and look out the window and see U.S. Army offic-, or Army personnel with machine guns on the roof of the United States Capitol, and National Guardsmen posted around the Capitol grounds. And in the course of the day a series of efforts by demonstrators to, or, I was going to say swarm through the Capitol grounds but that probably wasn't much danger of anything there, but certainly there was this overwhelming response by the police. And I can remember motorcycles and policemen in riot gear coming through the Capitol grounds, all of which we could watch out the windows, and when we went down for lunch in the cafeteria there was guerilla theater taking place there, people jumping up and pretending to kill themselves and

But the fact that this happened on the Capitol grounds, where you felt, as you can imagine, the institution was being attacked, and the institution was being undermined by the authority of the executive branch, and that had to have a real effect on anybody that was in the Capitol at that time. So that was 1971 moving on to 1972, subsequently, you know, that whole period of those demonstrations, as we now know from FBI and CIA files that have been released, there was a great deal of paranoia on the part of the executive branch.

And I'll skip over '72, except for one episode. There was a, as the, Nixon had increased the bombings, and the scope of bombings in Vietnam and was now bombing Hanoi, and the, there was a photograph that appeared in June of 1972, '3, no, 1972, of a young Vietnamese girl who had been a victim of a napalm bombing attack. And it's a very dramatic photograph where she is running with, all her clothes had been burned off and she's running down the street toward the photographer. And that picture symbolized to a lot of people the futility of the war in a context of, where we were the foreigners and the aliens and it was north versus south at the time.

But that picture became the symbol and the source of a speech that Ed Muskie gave in Cleveland in, late in 1972, in support of the Democratic ticket. And I would encourage anyone who's reading that particular speech, which I believe was in October of 1972, that they think of the context of the protest against the war and the futility that people felt, and the fact that the, as McGovern was clearly going to lose, there were a number of people like Ed Muskie that were speaking out increasingly, picking up the theme that McGovern had used so successfully a year earlier to defeat Ed Muskie in the primaries.

Nineteen seventy-three, the Watergate hearings dominated the news, but a great deal of activity on Capitol Hill. And it wasn't just the Watergate hearings, there's plenty that's been written and said about that, although I think as, it's important to note that within the Muskie office and environs, there were far more stories about intrigue and tales of misuse and abuse by the Nixon administration in the Nixon campaigns that came to our attention than perhaps ever appeared

formally in print, because so much of it was uncorroborated.

But I think many of us were aware of the truth of that, and of course the incident that anybody on the Muskie staff remembers is our friendly cab driver who volunteered during the Muskie presidential campaign to be a courier between mail, carrying mail between the Senate office and the campaign office. And it turned out to be an operative and on the payroll of the Nixon Committee to Reelect the President, or CREEP.

But I think the Watergate hearings, if you look at them in the context of a congressional hearing, were very methodical and developed a, developed a factual basis for the events that subsequently took place. And they were done very thoughtfully and very carefully by some senior members of the United States Senate.

As that was going on, and the events leading up to the resignation of Richard Nixon, also in the Senate and in the Congress there was not only an increased sensitivity to the abuse of presidential power, but a desire to reassert congressional authority, and one might say the historical, a historical shift or return back to congressional authority.

And again, I think those who review the Budget Act, the Anti-Impoundment and Budget Control Act, and think about the War Powers Act and look at what members of Congress were doing during the '73-'74-'75 period, might contemplate how real this abuse of power was to those who worked and toiled in the U.S. Congress.

And I think, skipping ahead to Jimmy Carter's election in '76, who ran against the establishment in Washington, I think I'd just pass on one or two anecdotes that might explain how, a little bit of what Congress was doing and what Ed Muskie was saying and doing. And that was, Jimmy Carter was a young governor with Ken Curtis, at the time Ken Curtis was elected. They were very good friends, and they both were young, in their thirties, perhaps early forties when they were, Ken was in his mid thirties when he was elected governor, and I don't think Jimmy Carter was that much older than he was.

So Jimmy Carter was seen as a youngster and an outsider, and not having very much experience by someone with the seniority of an Ed Muskie. But he was the nominee, he campaigned well, and he won election as president of the United States. So those of us around Ed Muskie said, we ought to try to figure out how we're going to deal with a Democratic president. I mean, after all, it was rather unusual. It was one thing to assert congressional authority when the Democrats had a majority in Congress and you had a Republican president. It was another thing to try to figure out how to relate to a president of your own party. It really had been, since 1968, when Lyndon Johnson had occupied that position, that we'd had to deal with this. And many of us were not around, or perhaps all of us, all but a few of us.

So I remember distinctly a fascinating afternoon when we brought Joe Califano to lunch. And Joe Califano had been a Cabinet officer, but prior to that he'd been a White House fellow and then a White House staff person, in the Johnson White House. And so our mission in gathering

him around us, us being Doug Bennett and John McEvoy and Leon and Billings and Al From and myself and a couple of others, was to say okay, how does it work?

And what was fascinating was that Joe Califano said, "Well, you know, it's probably not the same now, because what we used to do is, the executive branch was so powerful and Congress, and particularly congressional staff so lacking in resources in the 1960s, that we would draft up legislation for The Great Society, or Lyndon Johnson would come down and outline an idea and we'd, or he'd announce an idea, and then we'd, we in the White House staff would draft it, send it up to Congress, and in those days of the Johnson presidency and The Great Society, they'd pretty much come back as we wrote it within a space of months."

And we all sat there rather flabbergasted, because we had worked all during the '70s as congressional staff people to develop sort of an independent ability to craft legislation. And people like Ed Muskie weren't about to sit back and be dictated to by the president. And so one of the lessons we took at the staff level from that luncheon was that it will be very important to work with the White House and the executive branch in forging some kind of collaboration.

Well then Jimmy Carter gets installed, inaugurated in January, and Ham Jordan, who at that time I think was thirty eight, if that, gets installed in the White House, and within a matter of months the Carter White House managed to totally irritate those of us at the staff level, and the president personally irritated a lot of senior Democrats at the elected level. I mean, it was one thing to have to deal with Nixon, who treated Congress with disdain and chose not to follow congressional directives and generally thought he knew it all. It was another thing to have a member of your own party treat Congress with disdain and not do, follow any instructions and figure he knew it all.

I think what you saw in Ed Muskie was a respect for the institution of the presidency and a personal style, which meant that any criticism he had of Jimmy Carter and any advice he gave to the president was done quietly, privately and thoughtfully. And so at least at the level of Ed Muskie you never had this break.

But I have to say, for the benefit of those who may follow and be interested in this, that there was a lot of gnashing of teeth and rolling of eyes at some of the actions of the executive branch. And above all, there was a underlying suspicion that those of us under Ed Muskie who'd worked so hard to develop a disciplined and intellectual rigor, and a respect for competence, couldn't find that in the executive branch. And I think for many of us at the staff level, it was dismaying to see some of our colleagues, to hear some of our colleagues who went down to the other end of Pennsylvania Avenue come back up and tell us how chaotic and difficult it was to work in the bureaucracy, whereas we had enjoyed the luxury of working with senior members of, senior experienced elected officials who could be much more effective and efficient than the executive branch was.

AL: Let me ask this, because I'm not, was Eliot Cutler in the Carter administration?

CM: Yes, he was at the Bureau of the Budget as, he could rattle off all the names that are in his title, but the gist of it was he was responsible for a huge section of the budget dealing with natural resources and environmental matters. And, you know, he would have his own views of this, I'm sure, as to the competence of Congress. But I think the important thing was Ed Muskie had seen both the sixties relationship and the seventies relationship, and much to his credit I think, found a way to really get along with President Jimmy Carter in a way that he perhaps never could with Lyndon Johnson.

AL: And is there anything else you want to add, or do you think we've pretty much covered the bits you wanted to fill in?

CM: No, I think that's, to the extent that's useful for those taking advantage of the archives, I wanted to sort of communicate some of the events that were taking place at the time that meant a great deal to those of us that worked around Ed Muskie.

AL: Great, thank you.

(Taping paused.)

AL: Just one more anecdote.

CM: Yeah, just one anecdote that perhaps you can only experience if you're close to the seat of real power that underscores the truth of all the jokes and criticism you hear about Washington.

I was going to law school at night during this period, in the mid-seventies. And night school in Washington, D.C. frequently meant you had a lot of military, career military officers who had signed up when they were twenty or something like that, and they were approaching their twenty years, so they're in their late thirties and are preparing for another career.

And so at George Washington University Law School, where I went at night, it was no different in that respect and so you'd be sitting in this large classroom and a third or more of your classmates would be very experienced, seasoned military folks, most of whom were stationed in Washington at the Pentagon or other administrative positions, and virtually all of whom were involved in some way with the Vietnam War.

Now, I'll never forget, in 1973, as, there was this determined effort to withdraw troops. And during a break in my, in one class, there were two classmates of mine, one from each end of the row, and we're standing around talking. And one of them pointed out that he was working very hard to assist in moving equipment to the docks and shipping it out of Vietnam, but he was frustrated because he couldn't get ships. The other fellow said, "Well this is interesting because I'm shipping material into Vietnam, into Saigon Harbor," because they were still fulfilling contracts. And he said, "Let's cut a deal, because I know some ships that are going to be emptied in the course of the next week and we'll give you priority."

And so the incongruity of it all, of these two guys in a law school class, one trying to ship in equipment, when the government, the country was collapsing, or at least our portion of the country was collapsing, and the other trying to get people out. I'll never forget that, but that's, you only learn those things when you're real close to the seat of power.

AL: Thank you.

End of Interview