

New England Journal of Political Science

Volume 13
Number 1 *Volume XIII, Number 1*

Article 10

8-1-2023

Massachusetts

Jerold J. Duquette

Central Connecticut State University, duquettej@ccsu.edu

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Recommended Citation

Duquette, Jerold J. (2023) "Massachusetts," *New England Journal of Political Science*: Vol. 13: No. 1, Article 10.

Available at: <https://digitalcommons.library.umaine.edu/nejps/vol13/iss1/10>

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MASSACHUSETTS POLITICS IN 2022:

BAKER AND POLITO'S EXIT CLEARED THE WAY FOR A DEMOCRATIC LANDSLIDE AND THE VIRTUAL EXTINCTION OF A VIABLE MASSGOP ON ELECTION DAY, BUT NOT FOR A PROGRESIVE TAKEOVER OF THE STATE HOUSE

Jerold J. Duquette, Central Connecticut State University

Introduction

Ranked as the most popular governor in America for most of his eight years in office, Governor Charlie Baker's decision to forego a run for an unprecedented third consecutive four year term in 2022 came as quite a surprise to many. Even more surprising, his faithful Lt. Governor, Karyn Polito too decided against a run for the top job in 2022, despite having earned high marks from most quarters during her eight years as Baker's number two. Speculation about the reasons for Baker and Polito's sudden exit have consumed plenty of ink and airtime. Most attribute the decision to Baker's feud in recent years with the Massachusetts Republican State Committee (MassGOP).

Baker's decision to bow out of the 2022 race dramatically changed the race for the Democratic gubernatorial nomination. Though her Corner Office ambitions were no secret, Attorney General Maura Healey did not announce her own candidacy until Governor Baker indicated he would not run. Healey was clearly uninterested in taking on the most popular governor in America. Had Baker run it is likely that the 2022 Democratic nominee would have had to emerge from a competitive primary between progressive activists, which is exactly how the 2022 Democratic nomination race started. State Senator Sonia Chang-Diaz, former State Senator Ben Dowling, and Harvard political science professor, Danielle Allen, all threw their hats into the gubernatorial ring fully expecting Charlie Baker to be on the 2022 ballot.

Baker announced that he wouldn't be running on December 1, 2021. Within a month, Attorney General Maura Healey jumped in and Ben Dowling, a progressive former state senator from Western Mass, dropped out, citing his inability to raise enough money to win.¹ In June, 2021, after running as passionate, anti-establishment, progressive reformers, both Professor Allen and

Senator Chang-Diaz dropped out as well, clearing the Democratic field for Maura Healey and allowing her to face the MassGOP nominee in the fall without having to spend precious political or financial capital in a competitive primary.

The 2022 statewide elections in Massachusetts put Democratic women in four of the five statewide constitutional offices. Massachusetts Attorney General Maura Healey and Salem Mayor Kim Driscoll steamrolled the MassGOP's hapless candidates for Governor and Lt. Governor, Jeffrey Diehl and Leah Cole Allen, making Healey the first woman and the first out Lesbian elected Governor of Massachusetts.² Deborah "Deb" Goldberg was re-elected State Treasurer for her fifth term; Andrea Campbell, former Boston City Councilor and a candidate for Mayor of Boston in 2021, was elected State Attorney General; and State Senator Diana DiZoglio was elected State Auditor, defeating Anthony Amore, the only MassGOP candidate not linked to Donald Trump and the disgraced former president's supporters in the MassGOP leadership. Amore's 17-point loss to DiZoglio was the best showing of any MassGOP candidate for statewide office in 2022. Finally, William Galvin is the last man standing, so to speak, winning what is widely expected to be his last of eight terms as Secretary of the Commonwealth. He defeated two women named Sullivan in 2022. Progressive attorney and activist Tanisha Sullivan mounted an energetic but unsuccessful Democratic Party nomination challenge to Galvin, while right wing extremist and die-hard Trump-supporter Rayla Sullivan, who gained notoriety by claiming in her MassGOP nomination speech that liberal public school teachers were teaching young children how to perform sex acts on each other, was the MassGOP's sacrificial lamb in the general election for Galvin's job.

Republicans, weighed down by the visibility of Trump-supporting MassGOP leaders and candidates, suffered a historic defeat at the polls in 2022. Not only did they lose every statewide race by double-digits, they also managed to lose seats in both chambers of the state legislature, increasing the Democrats' veto-proof super-majorities on Beacon Hill. Bay State Republicans pinned all their realistic hopes on ballot measures in 2022. The MassGOP successfully petitioned to have a referendum on the 2022 state ballot in an effort to repeal the recently passed law, which passed over a Baker veto, giving qualified undocumented immigrants in the state the right to apply for driver's licenses. MassGOP activists, having obtained twice as many signatures as

required to get their measure on the ballot, were somewhat confident that repealing the immigrant driver's license law would be an effective way for culture-war conservatives to downplay their electoral impotence and claim a populist victory in 2022. Voters, however, had other ideas, and the immigrant driver's license law was upheld at the polls 54% to 46%. Along with the passage of another ballot measure opposed by Republicans, a legislatively-sponsored constitutional amendment to add a 4% sur-tax to annual taxable income above \$1 million, these ballot measure results signaled the complete destruction of a viable Republican Party in Massachusetts. Unable to salvage even a fig leaf of justification for their continued existence, the future of the MassGOP is indisputably bleak.

Why Didn't Baker and Polito Run?

Media speculation about the decisions of Baker and Polito not to run in 2022 centered on Baker's dysfunctional state Republican Party. Baker's consistent opposition to candidate and President Donald Trump during his Corner Office tenure made him *persona non grata* with the MassGOP, which was taken over in 2019 by Trump acolyte Jim Lyons, a former State Representative defeated for re-election in 2018. Lyons has since never missed an opportunity to brand the Republican governor a R.I.N.O., or Republican in name only. The fact that polls have consistently shown Baker to be more popular with the Bay State's Democratic voters than with Republican voters only added grist to the mill for Chairman Lyons and the MassGOP. The dominant media narrative attributed Baker and Polito's 2022 decisions to the difficulty they would have had winning the MassGOP nomination for Governor. In order to win the nomination with the present MassGOP leadership, many assumed Baker would have had to make a very hard right turn on both his opinion of Donald Trump and on policy. While this line of analysis is very reasonable and likely quite true, it obscures some big picture political realities in Massachusetts that make a run for a third term a very difficult proposition for any two-term Republican governor.

Governor Baker's statement about his and Karyn Polito's decision not to run in 2022 put the most significant barriers to a run front and center:

“We have all been going through an extraordinarily difficult pandemic, and the next year will be just as important, if not more important, than the past year. We have a great deal of work to do to put the pandemic behind us, keep our kids in school, and keep our communities and economy moving forward. That work cannot and should not be about politics and the next election. If we were to run, it would be a distraction that would potentially get in the way of many of the things we should be working on for everyone in Massachusetts. We want to focus on recovery, not on the grudge matches political campaigns can devolve into.”³

Baker understood the very delicate relationship he had with the veto-proof Democratic state legislature on Beacon Hill. Successful governors in Massachusetts not only have to be deferential to the policy preferences of legislative leaders, they also have to limit their political criticisms of politics-as-usual on Beacon Hill. Massachusetts governors, especially Republican governors, succeed at the pleasure of Democratic legislative leaders and key to that success is the protection of the political status quo on Beacon Hill. I explained this exceptional arrangement in a *MassPoliticsProfs.org* piece after Baker’s announcement in December of 2021 as follows:

Charlie Baker’s decision not to make an unprecedented run for a third consecutive four-year term in the Corner Office was a wise one for many reasons, most of which have been well and thoroughly discussed by thoughtful observers. The complications of his party having been thoroughly trumpified and the various land mines Democrats could detonate in a 2022 campaign that could tarnish Baker’s legacy are real and reasonable considerations. The Guv’s stated desire to attend in his final year in office to leading the state through complicated times without the distraction of an active campaign, however, is a much more significant factor than most observers acknowledge. It’s not just a noble sounding dodge. In fact, a 2022 re-election fight would not only make his last year in office less productive, it would likely make the four years following a potential win downright counter-productive to both his governing prospects and to his gubernatorial legacy.

The most impactful fact about contemporary Massachusetts statehouse politics has been a constant reality for three decades. It is the political and policy supremacy of the veto-proof Democratic state legislature. Key to this stability and supremacy is the almost complete lack of competitive state legislative elections in the Commonwealth. It is no mere coincidence that during the same three decades Bay State voters have developed a habit of electing Republican governors.

Democratic leaders on Beacon Hill maintain firm control over their legislative chambers by avoiding political and policy extremes, and by nurturing a political environment that exploits and even helps maintain the general satisfaction of the state’s most powerful interests as well as the moderation of average Massachusetts voters when it comes to legislative elections. The biggest challenge to the leadership’s preferred status quo has long come from the state’s progressive activists, who of late have

been aggressively attacking Beacon Hill's lack of transparency and accountability in order to mobilize public support behind their perennial efforts to advance progressive policy by weakening the iron grip of legislative leaders over rank-in-file legislators and over the legislative agenda.

Beacon Hill Democratic leaders have been using Republican governors to run interference between themselves and progressive activists for decades. During that time, no GOP governor has sought to hang around more than two terms because to do so would violate a sort of informal arrangement in which Democratic legislative leaders sit on their hands during Republican governors' re-election bids in the interest of preserving a productive working relationship between and among the statehouse's "Big Three." If Baker ran for a third term, it would be more difficult for Beacon Hill Democrats to resist progressive pressure to attack Baker on personal and policy grounds, and to support the Democratic nominee more aggressively in 2022.

So, when Baker said that he wanted to focus on doing his job over the next year, he meant doing his job with the complete cooperation of the legislature, which is of course the ONLY way any governor can do his job in Massachusetts.

An experienced hand having worked for Governor Weld, Baker's appreciation for the need to cultivate legislative cooperation became clear to me during his losing 2010 run. Throughout that campaign Baker scrupulously avoided attacking the Democratic legislature too aggressively, despite the giant target on their backs that was the then unfolding Probation Department scandal.

The Governor's publicly stated consideration of a third bite at the apple over the past two years, combined with the high-profile urgency of COVID-19 era politics nationwide contributed IMHO to the uncharacteristic pushback against Baker by legislative leaders, including the very public criticism of the governor's vaccine rollout and the formation of legislative oversight committees to scrutinize Baker's efforts on multiple policy fronts earlier this year."⁴

Baker's gubernatorial legacy may have been on his mind in a way that would be embarrassing news to legislative leaders in the summer of 2022, when the governor threw a giant monkey wrench into Beacon Hill plans for a massive tax cut package just days before the end of the legislative session.⁵ It is not clear whether Baker knew in December 2021 about the potential legacy burnishing impact of Chapter 62F, the 1986 voter-passed law that requires surplus tax revenues in excess of a statutorily defined cap to be returned to taxpayers in the form of tax rebates. If he did know and wanted credit for a massive tax refund on his way out the door, then it might have contributed to his decision to leave office in 2023. Legislators had been working for months on crafting a generous tax cut package completely ignorant of the decades old statute.

Had Baker been a candidate for re-election it is virtually certain that he would have alerted the Speaker and Senate President of the existence of this law much sooner. Had he won a third term after having embarrassed legislative leaders this badly, it is almost certain that he would have jeopardized the trust necessary for him to be a meaningful member of the state house's "Big Three."

Lt. Governor Karyn Polito's surprising decision not to run for Governor, despite having made "all the right moves" during her eight years as Lt. Governor, likewise reflects an understanding of the larger forces at play. Though she had not alienated Trump supporting Republicans in the state nearly as much as Baker, Polito seemed to recognize that when it comes to Republican governorships in the Bay State, eight (years) is enough. In an open seat gubernatorial contest, Democratic leaders on Beacon Hill could not be expected to sit on their hands the way they had during the re-election campaigns of GOP governors for two decades, especially in an election cycle when progressive resistance to radical right wing extremism would dominate the campaign narrative locally and nationally. While Baker left office with less than \$125,000 on hand in his campaign account, Polito's campaign account has more than \$2 million in it, suggesting that her decision not to run now was not a decision not to run ever. Polito will likely use her war chest to continue to cultivate useful relationships throughout the Commonwealth while she "picks her spot."⁶

Why did progressives clear the Democratic field for Maura Healey and why did Candidate Healey go out of her way to embrace Charlie Baker on the campaign trail?

Political scientists have long debated the merits of a theory known as the "divisive primary hypothesis," which suggests that highly competitive party nomination contests often become divisive and can hurt the eventual winners in the general election. While academics are divided on this theory, professional politicians are decidedly united in their fear and loathing of divisive primaries. While Ben Dowling's early exit from the Democratic nomination contest can be attributed to financial problems, the exits of the more anti-establishment progressive candidates, Allen and Chang-Diaz, suggest that progressive activists in the state believed that Maura Healey was both unbeatable and (maybe more importantly) was sufficiently progressive and receptive to

their reformist agenda to be allowed to “run to the middle,” so to speak, in the general election. And run to the middle she did. In February 2022, *Boston Globe* columnist Scot Lehigh, highlighting a MassINC poll of likely Democratic primary voters from January 2022, wrote that “Moderate Republican Governor Charlie Baker’s endorsement would be much more influential than the imprimatur of Democratic left-wing crusader Alexandria Ocasio-Cortez. In the Democratic primary. For Democratic primary voters.”⁷ Healey’s campaign apparently shared Lehigh’s reading of the polls. Candidate Healey missed no opportunities on the campaign trail to complement Charlie Baker and to associate herself with his approach to the governorship. Clearly mindful that Charlie Baker was leaving office with a 74% approval rating in the state, and that he was more popular with Democratic voters than Republican voters, Healey trained her campaign rhetoric squarely on Baker Democrats and independents.⁸

Healey’s embrace of Baker was more than a professional politician acknowledging the tenor of public opinion. It was also a signal to Beacon Hill leaders that she would be a productive partner to them, just as Baker had been, not an adversarial champion of progressive, anti-establishment reforms that might threaten the political security of legislative leaders. The last Democratic governor, Deval Patrick, came to office having raised the expectations of progressive activists only to have his progressive reform wings clipped by a Speaker and Senate President determined to protect their members from re-election challengers left and right.⁹ Healey seems to have learned from Patrick’s mistakes. Whether or not the state’s progressive activists will regret their decision to largely “stand down” in the 2022 governor’s race remains to be seen.

2022 Election Results: Will shattered glass ceilings change politics-as-usual at the state house?

Women now occupy four of the five statewide constitutional offices, and more importantly, two of the three offices of “The Big Three.” Governor Healey and Senate President Karen Spilka will have an opportunity to make common cause as they find ways to govern cooperatively with House Speaker Ronald Mariano. At the outset, Healey’s tax cut promises clash with the Speaker’s present posture on tax policy, especially after the embarrassing debacle that triggered a massive tax rebate codified by the 1986 voter-passed tax revenue limitation statute discussed

above. The Fair Share (constitutional) Amendment, passed on the 2022 state ballot, requires the proceeds of the 4% sur-tax on taxable income over \$1 million be spend on education and transportation. A great deal of progressive activist energy will undoubtedly be invested during Healey's first term in insuring that these funds go to progressive education and transportation priorities. Whether that will cause friction between the governor and her legislative partners too remains to be seen.

While there is no indication that the election of women to so many high offices in the Commonwealth will fundamentally alter politics-as-usual at the state house in the short term, what political scientists call "descriptive representation" contributes in both symbolic and substantive ways to valuable democratic impulses and motivations. It also improves the Bay State's unexceptional record of electing women and brings more people who understand and/or have experienced social, professional, and political marginalization to the table in the formulation and implementation of a broad range of public policies.¹⁰

Is there a future in Massachusetts for the Republican Party?

Since his hostile takeover of the Massachusetts Republican State Committee, replacing Governor Baker's hand picked chair Karen Hughes, MassGOP Chair Jim Lyons has presided over the least successful state party organization in America. A died-in-the-wool Trump sycophant and right wing culture warrior, Lyons has run an already largely irrelevant organization straight into the ground. His signature play, like Trump's, is doubling down on failure. At this point, the MassGOP exists only to troll liberals and Democrats and to keep the lights on at MassGOP headquarters.

Like his Republican predecessors, Charlie Baker initially tried to invest in GOP party-building, but also like his Republican predecessors, GOP party building quickly took a back seat to his own re-election and the careful maintenance of the Corner Office's precarious working relationship with Democratic legislative leaders.

In Baker's case, after losing control of the GOP state committee in 2019, he started the Massachusetts Majority PAC as a way to provide organizational and financial muscle to socially liberal and economically moderate candidates and elected officials. In the 2022 Massachusetts state primaries, Baker's (Super) PAC "spent \$171, 432 supporting 12 Democrats and three Republicans in their respective primaries – and all 15 emerged victorious. Nine of them were essentially elected because they face no opponent in the final election."¹¹ In December 2022 the Massachusetts Office of Campaign and Political Finance found that Baker's super PAC violated state campaign finance law by advertising the governor's attendance at a fundraiser.¹² Now that Charlie Baker has left office and taken on the presidency of the NCAA, the future prospects of his Massachusetts Majority PAC are uncertain.

As long as the Trump/Lyons wing of the Massachusetts Republican Party has enough support among culturally conservative voters, moderate and/or rational GOP candidates in Massachusetts will face the dilemma of being unable to win their party's nomination without dooming their general election chances. The MassGOP may be able to continue raising enough money to keep the lights on, but to do so it will have to continue to be just a Trump trolling outpost in enemy territory. The total failure of the MassGOP in 2022 in campaigns for every office as well as every ballot measure they invested in, means that the MassGOP is now a political party in name only.

¹ Jonas, Michael. (2021, January 20) Healey launches run for governor. *CommonWealth Magazine*. <https://commonwealthmagazine.org/politics/healey-launches-run-for-governor/>

Platoff, Emma. (2021, December 28) Ben Dowling, former state senator, ends bid for Massachusetts governor. *Boston Globe*. <https://www.bostonglobe.com/2021/12/28/metro/ben-downing-former-state-senator-ends-bid-massachusetts-governor/>

² Four women had already been elected Lt. Governor of Massachusetts, Evelyn Murphy in 1986; Jane Swift in 1998; Kerry Healey in 2002; and Karyn Polito in 2014.

³ Read Governor Charlie Baker's full statement on not running for reelection. *Boston Globe* (December 1, 2021) <https://www.bostonglobe.com/2021/12/01/metro/read-governor-charlie-bakers-full-statement-not-running-reelection/>

⁴ Duquette, J. (2021, December 3) Baker's Decision will Help Protect His Legacy & the Statehouse Status Quo. *MassPoliticsProfs.org*. <https://www.masspoliticsprofs.org/2021/12/03/bakers-decision-will-help-protect-his-legacy-the-statehouse-status-quo/>

⁵ Young, Colin A. & Chris Lisinski (2021, July 29) Baker sees 1986 law triggering \$2.5 billion in rebates. *WBUR.org* <https://www.wbur.org/news/2022/07/29/massachusetts-governor-taxpayer-relief-payouts-law>

⁶ MA Office of Campaign and Political Finance (as of 12-31-22) <https://ocpf.us/Filers/Index>

⁷ Lehigh, Scot. (2022, February 3) Moderate politics is the right path, even in Mass. *Boston Globe*
<https://www.bostonglobe.com/2022/02/03/opinion/moderate-politics-is-right-path-even-mass/>?

⁸ Approval rating: Mass. Gov. Charlie Baker is most popular governor. *MassLive.com* (October 11, 2022)
<https://www.masslive.com/politics/2022/10/approval-rating-mass-gov-charlie-baker-is-most-popular-governor.html>

⁹ Duquette, Jerold. *The Governor of the Commonwealth: A "Not So" Supreme Executive Magistrate* in Duquette, Jerold & Erin O'Brien (Eds) *The Politics of Massachusetts Exceptionalism* (Amherst: University of Massachusetts Press, 2022) P. 136-137

¹⁰ O'Brien, Erin, *Women, Women of Color in Massachusetts Politics: Not So Exceptional* in Duquette, Jerold & Erin O'Brien (Eds) *The Politics of Massachusetts Exceptionalism* (Amherst: University of Massachusetts Press, 2022) P. 254-281

¹¹ Mohl, Bruce. (2022, September 8) Super PAC with ties to Baker backed 15 winners. *CommonWealth Magazine*
<https://commonwealthmagazine.org/politics/super-pac-with-ties-to-baker-backed-15-winners/>

¹² Lisinski, Chris. (2022, December 20) Super PAC violated campaign finance law by using Baker's name to promote fundraiser. *WBUR.org* <https://www.wbur.org/news/2022/12/20/super-pac-purges-fundraiser-baker>