

Mass Politics in 2020: Still Exceptionally Establishment-Friendly After All These Years

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Though he plummeted from number one to number three on the Morning Consult list of most popular governors in America this year, Massachusetts Republican Governor Charlie Baker remains very popular and well liked. Baker's response to the COVID-19 pandemic continues to get high marks from the state's residents.¹ All of the serious pushback against the Governor on this front, as well as others, has come from his own Republican Party. Baker is more popular with the state's Democrats than with Republicans. The Governor's political action committee provided financial support in this year's state primaries to four times as many Democrats as Republicans. According to *Commonwealth Magazine*, "The Massachusetts Majority PAC, which is financially supported by well-connected business officials, tends to support moderate Democrats and Republicans. The PAC reflects Baker's aversion for lefty progressives as well as conservative Trump Republicans."² The Governor's triangulating approach was also reflected in his explicit endorsement of Congressman Neal in his high-profile Democratic primary contest this year against Mayor Alex Morse.³

Meanwhile, Democratic control of the state legislature got even stronger this spring as Republicans lost two of their six state senate seats in special elections held in May, and despite renewed complaints about the autocratic rule of House Speaker Robert DeLeo there are few signs of rebellion on Beacon Hill.⁴ In the September 1st primaries, which drew record turnout thanks to mail in voting, Speaker DeLeo's leadership team "won big" and the 2020 state legislative elections in November promise no progress for Republicans or progressive activists hoping to dent the Speaker's firm control over the House's Democratic veto-proof majority.⁵

The state's September 1st Democratic primary contests for the U.S. House and Senate provided drama and insights. Unexpected incumbent dominance on the Democratic primary ballot led to an "establishment strikes back" media narrative based on a misunderstanding of Massachusetts politics.⁶ This year's primaries were actually testament to the fact that the establishment never lost in Massachusetts. This misunderstanding is grounded in the misinterpretation of Ayanna Pressley's 2018 victory over longtime incumbent Congressman Mike Capuano.

The dean of the state's Capitol Hill delegation, Richie Neal, dispatched his latest progressive challenger easily despite facing a high-quality candidate with more money and high-profile national support than anyone the 71-year old career politician has ever faced. Holyoke's young, four-term mayor ran a disciplined campaign that pushed Neal to spend more than he has in the past, and to accept an unusual amount of independent expenditure help from outfits like the American Hospital Association and a group calling itself "American Working Families."⁷ In another first for Neal, Morse was very publicly and enthusiastically endorsed by a high-profile Democratic Member of Congress. Progressive firebrand and "squad" captain Alexandria Ocasio-Cortez's willingness to endorse the opponent of the Chairman of the House Ways and Means Committee reveals a great deal about the difference between 2020 Democratic politics on Capitol Hill and 2020 Democratic politics in Massachusetts.

The state's junior U.S. Senator, Ed Markey's bid for a second term in Washington faced what looked like a serious roadblock in the candidacy of Congressman Joe Kennedy but turned out to be a hiccup at worst and probably a very useful exercise for Markey in the long run. On primary Election Day the 74-year old incumbent who has spent the last four decades in Washington beat

the four-term congressman by a comfortable margin. Interestingly, he did so despite losing the endorsement of Speaker Nancy Pelosi to his younger rival but winning the strong endorsement of none other than Congresswoman Alexandria Ocasio-Cortez. While AOC's support didn't give a meaningful boost to Richie Neal's progressive challenger, it did make a positive difference for Ed Markey's campaign in another reminder that politics in Western Mass often plays out differently than statewide politics.

The 4th Congressional District primary saw nine candidates battling for Joe Kennedy's vacated U.S. House seat. The race captured lots of media attention in Eastern Mass but ended up being decided by rules more than rhetoric. Jake Auchincloss won the race with less than 25% of the vote. Auchincloss, who had been both a registered Republican and an paid staffer on Republican Charlie Baker's campaign for Governor, portrayed himself as an "Obama-Baker Voter" in the race, which is to say that he correctly calculated that the district would yield enough moderate, establishment-friendly voters in a large field of candidates to win.⁸ The most significant thing about this contest turned out to be how well it reflects the potential utility of ranked choice voting, a reform that has been getting increased attention in recent years and that is on the statewide November ballot.⁹

The ballot measures on the November 2020 ballot will be the only hard to call general election contests. In addition to the ranked choice voting initiative, the "right to repair" law will be on the ballot. This measure would require car companies to make diagnostic data stored on car computers available to independent repair shops, allowing car owners to choose who repairs their vehicles. While Question One will pit car manufacturers against small business owners in a potentially harsh and bitter campaign, Question Two (ranked choice voting) is a classic process issue, which may be difficult to sell in such an emotionally charged campaign season.

The State House Responds to Cops and COVID

The Massachusetts State House is home to an anti-Trump Republican Governor and a Democratic legislature with veto proof majorities in both chambers. A recent article by Chris Lisinsky of the State House News Service sounded a very familiar note reporting that the 2020 state legislative elections will, as usual, be exceptionally uncompetitive. "All 200 seats in the Massachusetts Legislature are up for re-election this fall, but nearly two-thirds of sitting members are on a glide path toward another term with minimal opposition."¹⁰ There appears to be no danger that Republicans will elect enough legislative candidates in 2020 to end nearly three decades of Democratic veto-proof majorities in both chambers of the General Court. The ongoing COVID-19 pandemic has swallowed almost all of the previously contentious policy and political conflicts on Beacon Hill so far this year.

The one distinct issue that has competed with COVID-19 for attention on Beacon Hill this year is police misconduct in the wake of George Floyd's murder by police in Minneapolis. Police reform on Beacon Hill took an important step forward this summer with Governor Baker's help. In June, Baker presented a plan for police reform that would create a certification requirement for the state's police officers. According to the *Boston Globe*, "[t]he bill would impose a range of new and sharpened requirements on the thousands of State Police troopers, municipal officers,

and other law enforcement officials in Massachusetts, including the potential of stripping the licenses permanently of those who “don’t live up” to their oath.”¹¹ This approach to reducing police misconduct is not a new one, bills proposing similar actions have been languishing in the legislature for many years thanks to the political influence of the state’s police unions. The increasing intensity and national prominence of anti-police brutality protests and the “Black Lives Matter” movement played their parts in bringing the state’s famously practical and bipartisan governor to the table on this issue. Having thrived in the “Corner Office” by avoiding high-profile conflicts with organized interests, especially those favored by the House Speaker and/or Senate President, Governor Baker could not avoid the spotlight on this issue. Baker’s careful cultivation of his anti-Trump brand of Republicanism required a public stand on the issue of police brutality because the President was is unambiguously opposed to dealing honestly with the problem and indeed has exploited it to curry favor with police unions and the GOPs racist base voters.

Governor Baker’s plan to create a police certification process, however, had a hole in it. Nowhere in Baker’s legislation was there a mention of police officers’ immunity from civil lawsuits, a long-sought target of anti-police brutality activists. The version of police reform passed by the State Senate in mid-July included strict limits on “qualified immunity” for police officers. Not surprisingly, the House remains (as of this writing) unable to pass its version of police reform. Police union and conservative political opposition to reducing police officers’ protections from civil lawsuits by victims of police misconduct have prevented the Speaker and Governor respectively from supporting the Senate version of the bill in the House. Odds are that police union pressure will either kill the whole bill or produce reform that does not significantly alter the qualified immunity of police officers.

Governor Baker’s assertive and authoritative leadership in the state’s response to the COVID-19 pandemic has been more straight forward. While the need for new legislation and the disagreement about qualified immunity have stalled police reform on Beacon Hill, the Governor’s unilateral authority during emergencies has allowed him to be comparatively bold and decisive in response to the pandemic. A lawsuit filed by business owners and pastors in early June alleging that Governor Baker’s executive orders in response to the pandemic exceeds his emergency authority is pending as of this writing.¹² However, legal experts have indicated that the Governor’s actions to date are not inconsistent with his constitutional or statutory emergency powers and that the lawsuit is very unlikely to succeed.¹³ Baker’s shutdown of schools and businesses in the state, his travel restrictions, and his phased plan for slowly returning to business-as-usual as the pandemic retreats have all proceeded without serious opposition from legislative leaders or powerful organized interests in the state. The small band of Trump supporting Republicans presently in control of the loud but politically impotent Massachusetts Republican State Committee have taken the lead in opposing the state’s COVID-19 response. Daily social media efforts by GOP State Committee Chairman Jim Lyons to mobilize Trump supporters in the state by attacking the Governor’s COVID-19 response using the same script as every other Trump acolyte across the country show no signs of having any meaningful political impact. The fact that Governor Baker is not on the 2020 ballot has surely reduced the potential impact on him of his party’s contempt, though the steady drum beat of criticism from Trump

supporting Republicans in the state may be part of the reason that speculation earlier this year about Baker seeking a third term in 2022 is no longer making news.

At the beginning of 2020 Baker's national profile and very high approval ratings not only fueled speculation that he would seek a third term, it also complicated the 2022 plans of Baker's Lt. Governor, Karyn Polito, who has always been treated and behaved like a 2022 candidate for the top job.¹⁴ Of course, "[f]or Polito to win the corner office in 2022, she would need Beacon Hill Democrats to be either bitterly divided as they were in the 2002 general election that put Mitt Romney into the corner office, or generally unenthusiastic about their party's nominee, as they were in 2018. Based on her effective positioning so far, Attorney General Maura Healy appears poised to prevent the first circumstance and while the second is not entirely out of the question, it too seems very unlikely at present."¹⁵

Progressive efforts to exploit high-profile disruptions on Beacon Hill caused by COVID-19 and the continuing national uproar over police brutality sparked by George Floyd's death to attack Speaker Bob Deleo's firm control over what does and does not get through the state House of Representatives have fallen on deaf ears. Progressive legislators, candidates, and activists tried to exploit the disruptive mood of politics this summer to push for democratizing reforms that would weaken the Speaker's grip on the state's legislative process.¹⁶ These efforts have not received meaningful attention or produced meaningful results.

Congressman Neal versus Mayor Morse

The progressive insurgency in the national Democratic Party reflected in the election of Alexandria Ocasio-Cortez in 2018 has not made headway in Massachusetts congressional elections. Though it has been widely misinterpreted by media analysts, Ayanna Pressley's election to the U.S. House was not an example of AOC-style progressive insurgency, but rather a conventional political generational change contest made possible by the confluence of significant demographic change in the 7th congressional district and the timing and talents of a professional politician who had already earned considerable credibility with the state's Democratic Party establishment as a popular Boston City Councilor.¹⁷ The same year Pressley defeated 10-term Democratic incumbent Mike Capuano, Richie Neal easily dispatched a candidate who was genuinely riding the AOC wave.

Two years later, progressive activists took another shot at the Chairman of the House Ways & Means Committee, betting that the Member of Congress with the largest contributions from corporate special interests could be brought down by a progressive candidacy that combined sufficient elective experience with an unapologetic, anti-politics, pro-social and economic justice campaign in the AOC mold. The assumption was surely that Neal's staying power was an artifact of his campaign's financial fire power with which he has drowned out progressive appeals to the voters of his district and that Ocasio-Cortez's strong endorsement and plenty of national media attention as well as national progressive organizational and financial assistance would mean that Morse's campaign would give Neal a real run for his money.

The assumption was wrong. Despite the high quality of their candidate and the high-profile national support and assistance, the progressive insurgency candidate in 2020 merely got a bit

closer to Neal on Election Day than the 2018 progressive insurgency candidate. Neal's seat was never really in jeopardy because his opponents refuse to accept that not nearly enough of the district's voters are sympathetic to their claims or their cause. The post-game punditry has been filled with the usual deconstruction of every campaign move as if Morse could have won with the right strategy and tactics, but the reality is that the voters of Neal's district fit neither the socio-demographic nor the ideological profile necessary for a progressive reform-based congressional campaign to succeed.¹⁸

Congressman Neal cannot be beaten by a progressive insurgent because the majority of voters in his Western Massachusetts district are getting exactly what they bargained for from him. They do not share the social and economic justice priorities of progressives, nor do they share progressives' moralistic theory of representative democracy. Alex Morse, just like Tahirah Amatul-Wadud before him, insisted that voters punish Neal for his stewardship of the interests of corporate special interests and they promised to remedy the social and economic injustices holding many in the district back. Congressman Neal, on the other hand, understands that most voters in his district do not see themselves as the victims of social or economic injustice and they want him to be a successful career politician who accumulates power in Washington in order to bring power and resources back to the district. Neal understands that his constituents are fine with transactional politics as long as he wields his accumulating political capital to advance their interests. With this average voter in mind, consider the affirmative arguments in this 2020 race. Neal promised to keep bringing home the bacon and he showcased every dollar and every program and project that he has brought home over the past 30 years. Alex Morse never contradicted these claims. He only characterized them obliquely as small potatoes compared to what he has won for the "corporate special interests" who fund his campaigns. Morse, on the other hand, promised that if elected he will stand up for those left out and will fight systemic social and economic injustices. Morse promised to be good while Neal promised to keep bringing home the goods. Morse's campaign resonated best with white upper middle-class college educated voters, a demographic that no one looking clearly at the demography of the 1st Congressional District could have thought a winning formula.

Senator Markey versus Congressman Kennedy

The results in the Neal versus Morse contest also help explain the U.S. Senate primary contest between incumbent Ed Markey and four-term Congressman Joe Kennedy. Though early polling had Kennedy way ahead in the contest, Kennedy wasn't able to make a clear generational change case against his much older opponent for two reasons: First, he was afraid to do so explicitly in a year when progressive momentum is being buoyed by resistance to and revolt against Trump and Trumpism. Second, Markey was extremely effective in rebutting the generational change argument that Kennedy was afraid to make too explicitly. Markey had the luxury of being an establishment-friendly candidate AND the champion of the most enthusiastic anti-establishment forces in the country today. His co-authorship of the Green New Deal with Alexandria Ocasio-Cortez, along with her enthusiastic support, inoculated Markey from both Kennedy's youth and his progressivism without conceding the establishment credibility built up over a long political career. Speaker Nancy Pelosi's controversial endorsement of Kennedy didn't have the intended

impact on enough of the Bay State's establishment-friendly voters. This could have been because it was perceived by many to be an anti-AOC rather than a pro-Kennedy move by the Speaker. In hindsight, this race looks like a textbook example of why early polling cannot be relied upon by campaign strategists.

Another element of this contest worth discussing is the degree to which Kennedy's support came from voters whose interests are prominent in progressive rhetoric but who nonetheless have tended to line up with establishment politicians on Election Day. "Kennedy did very well with voters of color. He won 21 of the state's 26 so-called "Gateway Cities." What this seems to indicate is that one barrier to Massachusetts politics being as progressive as most of the rest of America thinks it is that minority voters are not unsympathetic to "bring home the bacon" representation and are less convinced that descriptive representation adds up to substantive gains. It is not a coincidence that Joe Kennedy beat Markey handily in Richie Neal's district. At the end of the day, remember, Kennedy was Pelosi's candidate while Markey and Morse were AOC's candidates."¹⁹

Conclusion

The 2020 general elections, regardless of the results, will not end the disruptions or heal the wounds of political division in America. Even if Trump and his GOP enablers are swept from power in Washington, they will not retreat from the national political battlefield and the progress they have made in altering America's political institutions to preserve their gains beyond their tenure cannot be swept away easily or quickly. In Massachusetts, on the other hand, the 2020 elections effectively ended with the results of the September 1st Democratic primaries, which far from signaling instability and change signaled stability and security for established interests and political actors in the state.

The most politically significant conflict in Massachusetts politics this fall will be the fight over Question Two on the November general election ballot. Jake Auchincloss's plurality win in the 4th Congressional district will no doubt fuel greater urgency and attention to this electoral reform effort. Will it help put "Ranked Choice Voting" over the top? Reforms such as this are called "process" reforms by political scientists because they directly impact the rules of the game, not the policy outputs of public policy makers. Massachusetts voters have long been unenthusiastic about process reforms. Longtime observers will remember that despite passing by a huge margin at the ballot box, the Massachusetts Clean Elections Initiative was never fully implemented and was repealed by the state legislature without any negative political consequences in relatively short order. Whether or not ranked choice voting can generate enough support to pass this November remains to be seen, but early indicators of public opinion on the matter are not terribly encouraging for advocates of ranked choice voting. Recent polling has shown the state's likely voters to be "evenly split" on ranked choice voting.²⁰ Getting voters sufficiently enthusiastic about this process reform is likely to be a tall order in a political season dominated by the rhetoric of existential threat and calamity. The debate over Question One on this fall's statewide ballot, the "right to repair" initiative, is about whether or not car manufacturers can prevent independent car repair shops from having access to the diagnostic data in the computers that now exist in every new car. This contest is being fought out on TV, radio, and the internet as a battle

between corporate monopolists versus small business on one side and as a battle between dangerous hackers, identity thieves, and even rapists versus car manufactures trying to protect the privacy and safety of their cars' owners on the other side. The ability of Question One advocates and opponents to make this issue relevant to the every-day lives of real people makes it easier to get voters attention. Ranked choice voting, on the other hand, only intersects with people's daily lives indirectly, making it harder to get voters to care as deeply about it.

Politics in Massachusetts this year has included all the disruptive noise of politics in Washington and across the country, as well as the real-life consequences of COVID-19 and the corruption and incompetence of the Trump Administration. Despite all of this, however, the state's primary elections, response to the pandemic, and to rising concerns about police brutality all reflect continuing voter acceptance of (if not satisfaction with) politics-as-usual at the state house and among the state's congressional delegation. The prospects for meaningful change in the state's politics this November hinges on the results of the ranked choice voting ballot initiative, which will likely get muted attention in comparison to the existential dread sure to dominate media coverage of the 2020 elections. Once again, Massachusetts, despite its reputation nationally, is proving an exceptionally hospitable place for establishment-friendly politics, even after all these years.

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<http://www.masspoliticsprofs.org/2020/08/11/true-or-false-allegations-against-alex-morse-should-be-ignored-by-primary-voters/>

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