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Maine Politics in 2013: Still Moralistic Yankeedom's Exemplar?

Howard Cody
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Observers have long identified Maine as an embodiment of Daniel Elazar's moralistic political culture. Maine seemingly reflects Elazar's association of moralistic polities with amateur participation in politics, a preference for nonpartisanship to improve politics by widening access to public office outside traditional party structures, and a belief that "party regularity is not of prime importance" in moralistic polities where "serving the community is the core of the political relationship."¹ Similarly, Colin Woodard's recent classification of North America as eleven discrete "nations" places Maine firmly in "Yankeedom", characterized by active citizen involvement in politics, faith in government as an honorable activity and as a constructive force, and support for direct democracy and local control.² Maine's nonprofessional term-limited citizen legislature, its plebiscitarian polity featuring frequent popular referenda through citizen initiatives and citizen vetoes of existing laws, and its weakness for independent candidates who repudiate party labels, all position the state as New England's and perhaps the nation's purest exemplar of Yankeedom and a moralistic culture.³ Moreover, the policy process in Augusta traditionally has been marked by civility, bipartisanship and cooperation between governors and legislators on budgets and other issues. This is especially impressive when one considers that Maine's state legislative Republicans and Democrats locate themselves farther

¹ Daniel Elazar, *American Federalism: A View from the States*. Third edition. New York: Harper and Row, 1984, pp. 117-121.

² Colin Woodard, *American Nations: A History of the Eleven Rival Regional Cultures of North America*. New York: Penguin Books, 2011, pp. 5, 60. Woodard currently writes for Maine's *Portland Press Herald* and *Maine Sunday Telegram*.

³ On Maine's political culture, see Kenneth T. Palmer, G. Thomas Taylor, Marcus A. LiBrizzi, and Jean E. Lavigne, *Maine Politics and Government*. Second edition. Lincoln: University of Nebraska Press, 2009, pp. 2-3, 10, 51-52.

apart in self-reported ideology than legislators in most other states.⁴ But ongoing national trends and Maine's own political culture may be subverting its longstanding conceit of a "place apart" embodying "the way life should be."

The Political Setting for the 2012 Election in Maine

Maine entered the 2012 political season with its first Republican governor paired with a GOP-controlled legislature since 1966. The 2010 election had put Tea Party-supported businessman Paul LePage in the governorship with 38% of the vote against three more moderate opponents, the strongest of whom was Independent Eliot Cutler. The new GOP legislature overreached with its initiative (later overturned by voters in a citizen veto) to end election-day registration, but LePage has emphasized economic issues. The governor's brusque, confrontational style has generated much negative publicity and rankled legislators of both parties. Even so, Republican legislators implemented many of his policies, including charter schools (opposed by the Maine Education Association), lower taxes on high incomes, and reduced state spending by cutting social assistance and Medicaid recipients through a tightening of Maine's relatively generous eligibility requirements. LePage insists that Maine live within its means; he abhors borrowing through bond issues, a money-raising device which Maine used routinely for decades until LePage delayed releasing for sale the state-backed bonds approved by voters. LePage wants Maine to make itself more attractive to business to create more private sector jobs. Contrary to Yankeedom's positive view, the governor evidently considers government a time-wasting inconvenience imposing taxes and regulations that impede economic

⁴ Boris Shor and Mateusz Tomkowiak, "The Causes and Consequences of Party Switching in American State Legislatures." Presented to the American Political Science Association, Washington, DC, 2010. Their table "Ideology and Ideological Polarization in the State Legislatures" is published in Todd Donovan, Christopher Z. Mooney, and Daniel A. Smith, *State and Local Politics: Institutions and Reform*. Third edition. Boston: Wadsworth, 2013, p. 264.

development. For his personal style as much as his policies, LePage has maintained support in the 35-40% range. His fellow Republicans probably were relieved when he chose not to endorse or campaign for any candidates in the 2012 elections. They returned the favor by ignoring him in their own campaigns—or they tried to do so when their Democratic opponents kept associating them with him.

President and Congress

Maine was not a “battleground” state in 2012, so unlike next-door New Hampshire there was no visible presidential campaign. President Obama maintained a steady lead throughout the fall, though the Second Congressional District’s single electoral vote was in some doubt as Obama’s margin was larger in the more prosperous and socially liberal downstate First District. Falling just short of his 2008 margin, Obama carried Maine by 56-41% over Mitt Romney. Woodard attributes Maine’s recent votes for Democratic presidential candidates to the national GOP’s “southern strategy” advancing a “Dixie conservative agenda” that Mainers reject.⁵ In choosing Obama, Maine continued its six-decade practice of backing the loser in the five closest contests and the winner in the eleven others.

Both Congressional incumbents, First District Democrat Chellie Pingree and Second District Democrat Mike Michaud, easily won reelection against credible GOP opposition. Once again, Mainers took the default position of returning Members of Congress until, as a Maine political reporter once expressed it, their opponents convince voters that incumbents “need to be fired.”⁶ Besides, the open Senate seat appropriated most of the energy available for Congressional races. Republican Senator Olympia Snowe surprised nearly everyone by

⁵ Colin Woodard, “Republicans Have a Yankee Problem.” *Maine Sunday Telegram*, December 16, 2012, pp. E1, E3.

⁶ Vicki Ekstrom, “Donations Signify Scope of Collins-Allen Race.” *Bangor Daily News*, March 19, 2008, p. C8.

announcing in late February that she would not seek a fourth term. Snowe's ideological moderation had alienated her party's conservatives, who called her a RINO (Republican in name only). She faced Tea Party opposition for the GOP nomination. But her centrism and bipartisanship continued to earn support among Democrats and Independents as well as moderate Republicans.⁷ Most observers expected her to weather a primary challenge and win another term. But Snowe had had enough of Washington's growing partisan gridlock and ideological polarization.

Angus King Moves to the Senate

Snowe's exit perfectly positioned former Independent Governor Angus King to assume her role in the Senate. All advantages resided with King. King had been elected governor in 1994 and reelected in 1998 (winning 75% of the vote!) with the argument that partisanship complicates the finding of solutions to problems.⁸ Americans' current weariness with Congressional hyper-partisanship, "ideological warfare", and policy gridlock is well documented.⁹ Deep-pocketed businessman King once again disavowed traditional partisan politics with a pledge to operate in the Senate as a moderate consensus-seeker like Snowe, who endorsed no prospective successor. Republicans and Democrats nominated traditional candidates who had limited appeal beyond their parties' bases.

Moreover, King could effectively (if implicitly) offer himself as the anti-LePage, with a style wholly unlike the polarizing governor. Maine's largest newspapers, invoking esteemed past Senators Margaret Chase Smith, Edmund Muskie, William Cohen, and George Mitchell,

⁷ "Thank You, Olympia Snowe." *Bangor Daily News*, January 4, 2013, p. A6. (editorial)

⁸ On King's popularity in the 1990s, see Palmer et al., pp. 36-37.

⁹ Dana Milbank, "Can Chris Christie Rescue the GOP?" *Washington Post*, January 8, 2013.

contended that “finding common ground” is essential for a Senator from Maine.¹⁰ They endorsed King for his nonpartisanship.¹¹ King easily deflected attacks from out of state GOP-affiliated super political action committees like Crossroads GPS by noting that they exemplified the very politics he deplored.¹² Besides, Mainers recalled that King, like his popular contemporary Bill Clinton, had presided over a strong economy in the 1990s. King took a large early lead and never relinquished it. When he endorsed President Obama and same-sex marriage, nearly everyone correctly assumed he would caucus with Democrats in Washington. Even so, Charlie Summers, his GOP opponent, ran some 25% behind the unimpressive Romney across the state. King won with 53% of the votes, including about half of Maine’s Democrats. Perhaps it is less striking that King has successfully exploited Congress’s poor reputation than that other well-funded independents have not done so elsewhere.

Democrats Retake the State Legislature

GOP control of Maine’s legislature lasted only two years. The House of Representatives elected 89 Democrats, 58 Republicans, and (a record) four Independents in 2012; the State Senate elected 19 Democrats, 16 Republicans, and one Independent. All members of both houses must run for two-year terms, with a four-term limit. They may, and often do, move from one chamber to the other. Governor LePage’s relatively low popularity offered freshman Republicans elected with him in 2010 little help in contests where they (unlike LePage) had to win more than half of the total vote in their districts. Woodard and other analysts attribute the Democrats’ recovery to a perceived rightward recasting of the GOP (especially perceptible with

¹⁰ Robert Long, “What a Maine Senator Must Do and Know.” *Bangor Daily News*, October 13-14, 2012, pp. A1-A2.

¹¹ For example, see “Angus King for US Senate.” *Bangor Daily News*, November 1, 2012, p. A6. (editorial)

¹² Michael Shepherd, “PAC’s Ad Tries to Discredit King, but Trips on Truth.” *Maine Sunday Telegram*, October 28, 2012, pp. A15, A18.

LePage as governor) and the Democrats' ability to portray Republicans as associated with corporate and moneyed interests.¹³ Democrats also targeted five GOP state senators as rubber stamps for Governor LePage. In a Bangor district both candidates spent nearly \$500,000, an unprecedented sum for a state legislative seat in Maine.¹⁴ Most Mainers likely agree with the 68% of the Pew national sample who concurred with the contention that 2012 featured more negative campaigning and mudslinging than usual.¹⁵ Maine's pre-2012 "usual" had included little negative advertising. While negative tactics proved ineffective against King, they had a major impact on state legislative contests.¹⁶ Maine's "new normal" may damage its credentials as a "place apart" in ways we cannot yet foresee.

Mainers Endorse Same-sex Marriage

The 2012 same-sex marriage referendum was a revote. In 2009 Maine was the first state to pass same-sex marriage in its legislature and implement it with Governor John Baldacci's signature. (New Hampshire soon followed suit, but that state does not have Maine's plebiscitarianism with citizen vetoes.) Opponents then suspended the process with a citizen veto that put the issue to a vote in the November election. Although same-sex marriage led pre-election polls, it lost the referendum by 53-47%. The low vote in this off-off year election (when little else was on the ballot) convinced proponents that they might succeed with a larger electorate. Besides, Maine has a long history of second referenda on controversial issues like

¹³ Colin Woodard, "How the Republicans Lost the State House." *Maine Sunday Telegram*, November 25, 2012, pp. A1, A5; Robert Long, "What Do Maine Democrats Need to Win?" *Bangor Daily News*, October 27-28, 2012, p. A7.

¹⁴ Amy Fried, "Members of LePage Legislature Face Voters." *Bangor Daily News*, October 10, 2012, p. A5; Matthew Stone, "2012 Maine Legislative Races Most Expensive in History." *Bangor Daily News*, November 10-11, 2012, p. A4.

¹⁵ Pew Research Center for the People and the Press, *Low Marks for the 2012 Election: Voters Pessimistic about Partisan Cooperation*. Washington, DC: November 15, 2012, p. 1.

¹⁶ Steve Mistler, "Negative Ads Land Punches." *Maine Sunday Telegram*, September 23, 2013, pp. A13, A15.

gambling casinos. In most respects the 2012 campaign mirrored its predecessor of three years before. Once again same-sex marriage proponents outspent its opponents nearly two-to-one, especially on television.¹⁷ This time they added an impressive door-to-door initiative.¹⁸ Once again no gays appeared in advertising; not a single same-sex couple openly asked for the right to marry. Once again the state's major newspapers strongly endorsed marriage equality.¹⁹ Once again the Catholic Church opposed the change, but this time more quietly as Bishop Richard Malone, an outspoken foe of same-sex marriage, had been reassigned to the Buffalo diocese.²⁰ Once again same-sex marriage enjoyed substantial leads in pre-election polls, with its backers disproportionately younger and college-educated, residents of Maine's southern coast, and most Democrats. Once again, opponents were drawn largely from blue-collar Democrats (mostly Catholics in mill towns), evangelical Protestants, voters in rural and interior Maine, and conservative Republicans, but with a few more defections this time.²¹

And once again, the outcome was much closer than pre-election polls had suggested. On both occasions some 4% of Mainers told pollsters they supported same-sex marriage and then voted against it.²² But even if at least 90% of Mainers who participated in both referenda voted the same way, the 2012 electorate was larger than in 2009. Younger and southern Maine urban and suburban residents contributed an increased share of votes. So same-sex marriage passed by 53-47% for the same reason President Obama was reelected: the turnout of comparatively liberal occasional voters was high this time.

¹⁷ Judy Harrison, "No on 1 Funding Closing Cash Gap." *Bangor Daily News*, October 29, 2012, p. B1.

¹⁸ Amy Fried, "Conversation Opened Door to Marriage Equality." *Bangor Daily News*, January 2, 2013, p. A5.

¹⁹ "Support Families, Vote 'Yes' on Question 1." *Maine Sunday Telegram*, October 21, 2012, p. A4 (editorial); "Legalize Gay Marriage." *Bangor Daily News*, October 31, 2012, p. A4. (editorial)

²⁰ Judy Harrison, "Same-sex Weddings Could Begin Jan. 5." *Bangor Daily News*, November 8, 2012, pp. A1, A4.

²¹ John Richardson, "Poll Analysis: King Still the Front-runner, but Lead Erodes." *Maine Sunday Telegram*, September 30, 2012, pp. A1, A8.

²² John Richardson, "Poll Suggests Tightening Presidential Race." *Maine Sunday Telegram*, November 4, 2012, pp. A1, A4.

Maine's Outlook

Optimism about Maine's near-term politics is in scarce supply. The state's financial position is precarious as always.²³ Governor LePage shows no interest in working with a Democratic legislature. He continues to make impolitic remarks. He dismisses Maine's public school system by asserting that "if you want a good education in Maine, go to a private school."²⁴ He calls Justin Alford, the State Senate's new president, a "spoiled little brat" for criticizing his policies and for being the grandson of wealthy philanthropist Harold Alford.²⁵ Many fear that LePage, who "would rather lose than achieve a partial win", will refuse to negotiate with the legislature's Democratic leaders.²⁶ He may not even meet with them to discuss a legislative agenda. Democrats do have a possible course of action. They can bargain with the GOP minority whose seats may prove vulnerable in 2014 if voters associate them with an intransigent Governor. In this sense Governor LePage may operate as the Democrats' "best, most unwitting ally."²⁷ The threat of LePage vetoes may induce bipartisan cooperation on bills and budgets that can win the two-thirds support necessary for overrides. Besides, Maine's GOP legislators owe the governor nothing. He did not assist them in 2012 and he is unlikely to help them secure reelection in 2014. But views differ on state legislators' ability or even willingness to forge bipartisan accommodation on a biennial budget.²⁸

²³ Robert Long, "LePage Budget Ends Town Revenue Sharing." *Bangor Daily News*, January 12-13, 2013, pp. A1, A2.

²⁴ "Room for Compromise in Augusta on Education." *Maine Sunday Telegram*, November 25, 2012, p. E2.

(editorial)

²⁵ Steve Mistler, "Democratic State House Leaders Ready to Face LePage." *Portland Press Herald*, November 13, 2012.

²⁶ "Governor's Approach Defies Change in Augusta." *Maine Sunday Telegram*, November 18, 2012, p. E2.

(editorial)

²⁷ Michael Cuzzi, "For Maine Democrats, Legislative Session Fraught with Bipartisan Opportunity." *Maine Sunday Telegram*, December 9, 2012, pp. E1, E3.

²⁸ Robert Long, "Budget Proposal Sets up Tax Fight." *Bangor Daily News*, January 17, 2013, pp. B1, B5.

On the other hand, LePage may win a second term in 2014 with the 38% he took in 2010. He can flout the Median Voter Theorem, which posits that candidates and parties appeal to the median voter in majority electoral systems. If this rule applied in Maine, LePage would have to attract some moderate, nonideological independents. But Maine's statewide elections often are multi-candidate plurality, not majority. Facing two or more relatively moderate challengers likely to include Independent Cutler, LePage once again may occupy the right in 2014 and let median voters divide their support among his opponents. Besides, Republicans expect that the 2014 electorate will resemble 2010's. It will be older, more conservative, and more Republican than in 2012.²⁹ However, Woodard warns Republicans that their long-term prospects are unpromising as long as their votes are concentrated in slow (or no) growth northern, eastern, and inland "rim" sections of the state while Democrats prosper in the faster growing southern and coastal areas that endorsed President Obama and same-sex marriage by substantial margins.³⁰

If Maine's "new normal" legitimates attack advertising and a rejection of collegial policymaking, its traditional political culture deeming politics as constructive and politicians as honorable will suffer. Perhaps this process is already underway. Maine's political culture can disserve its own best interests. The popularity of independents permits the election of candidates lacking majority support. LePage's election reveals how independent candidates can inadvertently impede bipartisan policymaking. Finally, Maine's seemingly intractable fiscal crisis threatens to undermine the belief that government can serve as a constructive force to improve people's lives. In the pre-2014 election period, enforced fiscal austerity may convince many Mainers that they cannot afford a government that upholds moralistic values and preserves Maine's "place apart" singularity.

²⁹ Robert Long, "What's Next for the Maine Republican Party?" *Bangor Daily News*, November 17-18, 2012, p. A7.

³⁰ Woodard, "How the Republicans Lost the State House."