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August 8, 2016

The Honorable Charles D. Baker, Jr.
State House
Office of the Governor
Room 280
Boston, MA 02133

Dear Governor Baker,

On August 1st, Pioneer Institute, together with the Becket Fund for Religious Liberty, the Black Alliance for Educational Options, the Center for Education Reform and the Friedman Foundation, held an event at the Grand Staircase entitled "Move This Portrait: The Know-Nothing Governor and Barriers to School Choice." We are grateful to Representative John H. Rogers for being our legislative sponsor.

At the event, we called for moving the portrait of Know-Nothing Governor Henry J. Gardner from its place of prominence at the entrance to the House of Representatives. Let me share our reasoning.

In 1854, the Massachusetts abolitionist William Lloyd Garrison's newspaper, *The Liberator*, asked: "Who was so wild to think that a party with a [name] as ridiculous as satire itself... would... spring up [and] absorb the elective strength of [our] state?" The Know-Nothings rode a cunning platform of anti-Catholic nativism and progressive reforms to the largest electoral landslide in Massachusetts history. Led by Gov. Henry Gardner, the Know-Nothings promulgated a bevy of bigoted, constitutionally-suspect laws, including an amendment blocking Catholic families and schools from continuing to receive public dollars to best direct the education of their children. The Know-Nothings' dominance of the State House lasted only two election cycles, but their anti-Catholic, anti-immigrant actions left a legacy that persists 160 years later—right here in Massachusetts.

Today, 38 states have similar anti-aid or Blaine laws and amendments; Massachusetts has the oldest and worst. That's hardly surprising given the hostility of Massachusetts' Know-Nothing Party and their governor towards Catholics, immigrants and basic American principles of religious freedom.

In mid-19th century Massachusetts, despite comprising one-quarter of the population in Boston and other cities in the commonwealth, Irish immigrants were confronted by ethnic, religious and economic prejudice as well as violence from urban Yankees. The new Irish immigrants sought what all immigrants seek in America: refuge from tyranny, religious freedom and jobs. Regrettably, wrote author Jack Beatty, "in the 1850s... [t]he grammar of Massachusetts politics was being laid down."

The Know-Nothings plotted their anti-immigrant rise in secretive fraternal lodges. They assured clandestine party membership with peculiar handshakes and the password, "I know nothing." Charles Francis Adams, the anti-slavery statesman whose grandfather drafted the Massachusetts Constitution, rebuked them as "productive of nothing but fraud, corruption, and treachery."

In an interesting historical coincidence, Gov. Gardner and Donald Trump share the same birthday, June 14th.

Sadly, Gardner's gubernatorial portrait today stands right at the top of the Grand Staircase, in a place of honor and prominence, at the entrance of the Massachusetts House of Representatives. Is this really an appropriate way to mark the entrance to the Peoples' Chamber?

We at Pioneer don't believe in hiding from history. History is an indispensable guide for a free society. While Pioneer does not seek to erase the portrait or this ugly Know-Nothing chapter of Massachusetts' history, we believe that places of prominence in the State House are to celebrate figures from our past who have upheld the public trust and the core principles of this country—and are worthy of respect and praise.

Massachusetts has a proud history of numerous outstanding leaders. An immediate short list would include: John Adams, John Quincy Adams, Abigail Adams, Phillis Wheatley, William Lloyd Garrison, Frederick Douglass, the Massachusetts 54th Civil War Regiment, President John F. Kennedy, U.S. House Speaker Tip O'Neill, U.S. House Speaker John McCormack, U.S. Senator Edward Brooke and so many others. Surely, among our many historically significant figures, there are individuals more deserving of recognition than the governor who headed up the Massachusetts Know-Nothing party, the most infamous political party in state history.

Massachusetts leaders frequently, and rightfully, comment on other states and public entities, like South Carolina's Confederate flag, the U.S. Treasury's \$20 bill featuring Andrew Jackson and Princeton University's troubled Woodrow Wilson legacy. We ask state leaders to reflect upon and face its Know-Nothing past, its inappropriate recognition of Gov. Gardner, and the horrendous bigotry that resulted in the Know-Nothing-style anti-aid amendments to our state constitution.

Henry Gardner and his Know-Nothings have no place being celebrated in the State House or in the state constitution. That is why we call upon you, as lead representatives of our state government, to move the Gardner portrait to a less prominent place in the State House. The Know-Nothings were not open-minded or tolerant people. They were thugs. It would be more fitting to see Gardner in some distant corner of the State House basement.

Relocating the Gardner portrait is a symbolic first step, but an important start. His Know-Nothing constitutional amendment is a major barrier to giving parents educational choices—and benefitting tens of thousands of poor and minority kids trapped in chronically under-performing urban public schools.

Pioneer is deeply committed to public school reform and full implementation of the state's landmark 1993 Education Reform Act, which has established Massachusetts as a national and international leader in K-12 education and set in motion the best charter public schools in the United States. However, we must have greater urgency in ensuring all kids have access to the American Dream. That will take more school choice options—and ones that go beyond charter schools, to include expanded vocational-technical, METCO, private, and, yes, parochial school options.

Our neighboring states—New Hampshire and Rhode Island—have already started addressing this “opportunity deficit” by establishing modest education tax credit programs.

Florida and numerous states across the country have them, as well. If New Hampshire and Rhode Island can have greater school choice that includes religious schools, why not Massachusetts? If the nation's capital can boast a highly successful school voucher program that serves over 1,500 low-income and minority kids, why can't Massachusetts?

The fact is: We can.

A 2012 poll by David Paleologos of Suffolk University found that there is:

- Majority opposition to Massachusetts' anti-aid constitutional amendments prohibiting "public money from going to religious schools."
- Strong support to repeal Massachusetts' anti-aid constitutional amendments "if it meant needy families could have access to more educational choices."
- Strong support for scholarship/voucher programs to serve students in failing public schools and for "tax credits for those who make charitable contributions to fund educational choices."

With tens of thousands of students in struggling urban public schools, and strong evidence that residents across Massachusetts recognize the importance of educational opportunities and the need to remove barriers to those opportunities, we are asking you to muster the courage to reflect on the brutality and intolerance behind Massachusetts' anti-aid amendments.

As Representative Rogers noted in his welcome remarks:

"The issue of school funding is very personal to me, as the Ranking member of the Joint Committee on Education, an advocate for public schools, and a parent and product of parochial schools. I spend roughly \$21,000 yearly on parochial school educations for my 3 daughters. If the parochial school in my district, Saint Catherine of Sienna School, closed its doors tomorrow, it would add \$5 million to the foundation budget of the public schools in my district. Due to the bigoted, anti-Catholic, anti-Irish, anti-German, anti-immigrant Know-Nothing language which still stains our Commonwealth's Constitution, parents cannot even write the expenditures for private schools off on their taxes, despite the tremendous savings they generate for the municipalities they live in.

The blind and indifferent public school zealot, who refuses to see the savings and value parochial schools have, and the symbiotic relationship they have with the public schools in a region, forgets the words John Adams wrote in Chapter V Section II of the Massachusetts Constitution:

it shall be the duty of legislatures and magistrates, in all future periods of this commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them; especially the university at Cambridge, public schools and grammar schools in the towns; to encourage private societies and public institutions, rewards and immunities, for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and a natural history of the country;

As Rogers further noted, these "words are a charge from John Adams and are moving even today... The historical underpinnings and dubious motivations for the anti-aid amendment,

and the placement of a portrait of a Governor whose image is a stark reminder of a time of intolerance in our Commonwealth are questions that deserve public hearing and discourse, like the one you have today. Thank you for having the courage to have this discourse.”

The courage to examine one’s own past and one’s own self is the foundation of any society’s or individual’s ability to understand justice. We ask you to show that courage. The bigoted Know-Nothing amendment is a scar on Massachusetts’ otherwise noble constitution; excluding children from opportunity is the present-day impact of ignoring that scar.

Respectfully,

A handwritten signature in black ink, appearing to read "James H. McGovern". The signature is fluid and cursive, with the first name "James" being more legible than the last name "McGovern".

cc: Speaker Robert A. DeLeo, Senate President Stanley C. Rosenberg, Ms. Susan Greendyke
Lachevre