# THE SYSTEMATIC EXCLUSION OF THIRD PARTIES IN AMERICAN POLITICS

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*Third parties are consistently excluded from politics in America. This paper first examines the history of parties in America, followed by an analysis of the Spatial Theory of Elections, and an in-depth look at the institutions that perpetrate this exclusion. These institutions include: ballot access laws, campaign funding laws, media coverage, electoral systems, and the status quo in the minds of the citizens.*

Despite the fact that the American political system is dominated by only two political parties, the government was not originally intended to operate this way. America has been deadlocked with the same two political parties for over 140 years, even though the framers never had this intent. Nowhere in the Constitution does it mention the formation or existence of parties; nowhere does it say there should be two parties; nowhere does it stipulate how party organizations should work. The two party system started long ago in our nation's history and has been gradually changed to become even more exclusive. It persists because it provides a significant advantage to the two parties in power. They alone have the power to end the exclusive system, but they would never voluntarily put an end to their own reign. To understand the way in which it is advantageous to the two parties to continue this system, a model known as the Spatial Theory of Elections will be introduced. Furthermore, there are numerous methods by which this exclusion takes place. It is accomplished through many governmental and corporate institutions, which operate in a way that perpetuates the exclusivity of the American political system.

Having only two parties may not seem like a problem to many citizens, but two parties may not provide enough options for everyone. If a person believes in social regulations such

as a ban on drugs but not economic regulations such as wealth redistribution programs then they may tend to vote as a Republican.  Likewise, if a person believes in economic regulations but not social regulations, they may tend to vote as a Democrat.  This does not account, however, for people who do not believe in regulations on either.  There is a Libertarian Party for such people, but it is denied many of the things granted to the Democratic and Republican Parties.  This forces people to be "liberal" or "conservative" and compounds ideas into two groups.  Few topics, if any, are divisible into two clear-cut groups, and third parties could provide more diverse viewpoints.

Regardless of the merits of a two party system, an understanding of the structures that have maintained this system is fundamental to understanding American politics. By observing a history of the party system in America, followed by an analysis of the Spatial Theory of Elections, and concluding with a thorough examination of the methods used to perpetrate exclusion, we can begin to better understand the nature of the political system that governs the society in which we all live.

## History and Background

When the United States Constitution was written in 1787, it contained no mention of political parties.  In fact, it was written in such a way that powers were separated, so that one group could not take over the entire government. During this period, the idea of the political party was not a widely discussed topic.  The candidates in the first two presidential elections in 1789 and 1792 did not even have parties[1].  It was not until 1796 that political parties were introduced to American presidential electoral politics, though the parties of the time were little more than Congressional factions.  This changed, however, when Congress became highly polarized.  It was soon realized that if the parties took control of state legislatures they could get their own senators elected.  Therefore, in 1828, the first mass political party

was born when Andrew Jackson transformed the Democrat-Republican Party into the Democratic Party[2].  He toured the country with Martin Van Buren and established local and state party structures, as well as newspapers to disseminate information and propaganda.  Jackson's new party utilized get-out-the-vote techniques methods that mobilize supporters and get them to the voting booths on election day and nominated candidates through the use of conventions[3].  This is considered to be the first in a series of distinct political realignments in which parties have switched major platform issues or large amounts of voters.  The second occurred between 1852 and 1860, when the Whig Party divided over the issue of slavery[4].  The Republican Party was formed, and in 1860 Abraham Lincoln became the first Republican president. Since 1852, every president has been either a Democrat or a Republican[5].  The next realignment occurred between 1893 and 1896, when the country entered a recession and William McKinley was elected president[6].  Between 1897 and 1933, only one Democrat served as President: Woodrow Wilson.  It was not until the last party realignment took place between 1928 and 1932 that Democrats regained control of the presidency.  Republican President Herbert Hoover was blamed for the Great Depression and Franklin Roosevelt was elected to office[7].  Some may argue that a realignment occurred in 1960 when the issue of civil rights pushed millions of Southern voters, who had been faithful to the Democratic Party since the Civil War, to the side of the Republicans.

Third parties have been consistently excluded throughout this centuries-long process of the two major parties exchanging platforms and voters.  Only three times since 1900 has a third party candidate received more than 15% of the popular vote[8].  It is clear, however, that people want third parties to participate.  Voter turnout in 1988 was around 50%, and 30% of those voters said that they likely would have voted "no confidence" in both George Bush and Michael Dukakis had there been space on the ballot to do so[9].  Additionally, 59% of voters in 2004 said that they believed Independent Ralph Nader should have been allowed to participate in the

debates[10]. It is no surprise that third parties might be popular: in 2004 both major candidates supported the Iraq war, even though half of the country was against it[11]. The ideas put forth by individual third parties may only appeal to small groups within the population, but it is clear that a majority of the population believes that they should at least be given the opportunity to participate.

Several theories have been offered as to why America developed a two party system. Judson James suggests that there are three: initial dualism, fundamental consensus, and institutional structures. He believes that all three theories undoubtedly play a role in the formation of the system, but that institutional structures are the main cause, and play the biggest role in the endurance of the system[12]. Initial dualism argues that a two party system is the most basic of all party systems. The first parties formed initially out of a single conflict or series of related conflicts[13]. For example, if one group wants to have a strong central government and another group prefers strong state governments, each will band together and form a party. This initial rift creates coalitions that become stronger as other issues arise. These coalitions exist between national elites in the beginning, but soon expand to include the population. Soon, the coalitions become the status quo, and a two party system continues based primarily on "sheer inertia in human behavior[14]." There are two problems with this theory. First, most other democratic nations have not developed two party systems. Many have functioning multiparty systems and in some cases have been unable to establish a two party system. Second, political parties in America have been both created and extinguished. Each time the two party system comes to an end, it is simply recreated[15].

The theory of fundamental consensus suggests that the number of parties that form is a direct result of the degree of widespread agreement about the most fundamental political, social, and economic issues. In this view, America developed only two parties because it has a high level of consensus among these fundamentals. Individuals disagree, however, on the manner by which those issues should be handled. Societies

can agree essentially on what they want, but not how they are going to get it[16].  For example, most Americans agree that America should protect itself, take care of its citizens, and uphold moral values; arguments arise over how we should go about doing such things.  Another theory, institutional structures, argues that it is the nature of the American political system that favors two parties[17].  This theory is essentially a restatement of another theory, known as Duverger's Law.

      Duverger's Law suggests that "the simple-majority single-ballot system favors the two-party system[18]."  The inverse of this is also true, and is known as Duverger's Hypotheses.  This states that "the simple-majority system with second ballot and proportional representation favors multi-partyism[19]."  Duverger's intention is to identify three distinct electoral systems, and determine the tendency of each to create a two party system.  His three systems are plurality voting, run off voting, and proportional representation.  Plurality voting the system used in the United States is a simple system in which the candidate with the most votes wins.  This is sometimes incorrectly referred to as simple-majority voting.  However, in races with more than two candidates, it is possible to win with fewer than 50% of the votes, and therefore without a majority.  This is the system that Duverger suggests will tend to create two party societies.  Run off voting is similar, except the top two candidates in the first election then run again in a second election.  This is sometimes called second ballot voting.  Duverger asserts that this system will tend to create multiparty societies.  Proportional representation, Duverger claims, will also lead to multiparty societies.  This is a system in which more than one seat is up for election, and the winners are taken from each party that receives a sufficient number of votes.  Duverger's Law leads to the conclusion that third parties are at a distinct disadvantage in a single-member, plurality system such as the system of the United States[20].

      There are three types of third parties: Sectarian, State, and Temporary National.  Sectarian parties are characterized by having "narrowly doctrinal emphasis[21]."  The Prohibition Party would be an example of this, as it has a very specific

goal. These parties typically last a long time. State parties are analogous to the major parties; they are intended for electoral victory and have platforms that address the full spectrum of issues[22]. State parties are more likely to gain minor electoral victories, although they typically have shorter life spans. The Green and Libertarian Parties are both examples of State parties. Temporary National parties are typically formed from members of one of the major parties, often as a protest against that party[23]. Theodore Roosevelt's Progressive Party is an example, as it was formed from the Republican Party.
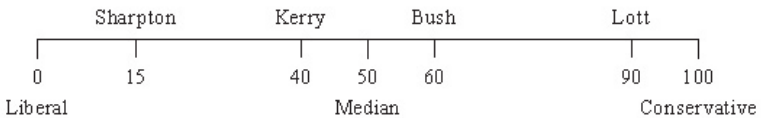
## The Spatial Theory of Elections

The Spatial Theory of Elections helps to explain the way voting works and can be used to demonstrate the negative effects third parties have on the two major parties. It is based on three primary assumptions: first, political issues can be represented by a single left-right scale, usually numbered zero to one hundred; second, voters know where politicians are located on this scale, as well as where they themselves are located; third, voters always vote for the candidate closest to them on the scale[24]. If the median voter is said to be in the middle of the scale, at fifty, then it follows that the winner of a two-candidate contest will be the candidate closest to the median voter. According to the theory, this leads to a conclusion known as the median voter hypothesis, which states that the best place for a candidate is nearest to the center.

To better understand this model, consider the following example[25]: imagine two competing food stands vying for customers along a straight segment of beach. If a planning commission places each stand halfway between the midpoint and one of the endpoints then there will be a considerable distance between the two stands, but customers will never have to walk more than one-quarter of the length of the beach to get food. If the stands are able to place themselves, however, a different phenomenon will occur: one of the stands will realize that if it moves closer to the other

stand it can steal some of that stand's customers while still maintaining its customer base on the opposite side. The other stand will then do the same to keep up, and soon both stands will be very near the center. Stone then suggests that the end result will often be that both stands will still receive an equal share of the customers, the only difference being that many customers will have to walk farther to get to the nearest stand. When applied to politics, this model may look very similar to the figure below.

      Consider first an election between John Kerry and George Bush: both are an equal distance from the center. This means that the election will be a tie, so one or both candidates will inevitably move closer to the center as each attempts to gain more votes. Next consider an election between Kerry and Trent Lott: Kerry is much closer to the center and will likely get all of the voters to the left of 65. Lastly, consider an election between Trent Lott and Al Sharpton: Sharpton is closer to the center and would likely win. However, Lott has a significant amount to move towards the center, and will likely do so before Election Day. Sharpton will follow to keep up, and by Election Day they may very well be in the same positions as Bush and Kerry. To understand why the two main parties are opposed to third parties, consider the following figure:

| Sharpton | | Kerry | Bush | | Lott | |
|---|---|---|---|---|---|---|
| 0 | 15 | 40 | 50 | 60 | 90 | 100 |
| Liberal | | | Median | | | Conservative |

In this figure, Bush and Kerry are again competing to be in the center. However, a new candidate, Ralph Nader, has appeared. It is important to note that third party candidates are generally not as well known or publicized as major party candidates, so a voter may vote for a major candidate over a minor candidate even if the minor candidate is closer to them on the scale. The results of this election will ensure that Bush will win everything to the right of 50, Kerry will win everything from 50 to around 15 or 25, and Nader will

win everything to the left of that. Kerry and Nader have effectively split the liberal vote, allowing Bush to win. To avoid this outcome, Kerry can attempt to marginalize Nader, so he appears to be even farther to the left. For example, if Nader is at 2 and Kerry is at 50, Kerry may be able to win with the voters between 10 and 55. If the third party candidate is not successfully marginalized, however, his or her attempt to be elected president will often split the liberal votes and succeed in electing the most conservative candidate. The same situations could also take place in reverse, with a conservative candidate located, for example, at 90.

Because of the negative effects third parties have on major parties, they have consistently been excluded from the political process. It is in the Democratic Party's best interest to be the only liberal party, while it is in the Republican Party's best interest to be the only conservative party. Neither party wants to have votes stolen from their candidate, and neither wants to compromise its seat in the two-party system. It is therefore in the best interest of the Republican Party to have minor liberal parties, and vice versa. It is for this reason that both parties have supported or assisted third parties with opposite ideologies to gain ballot access in order to split votes with the other major party, as the Republicans did with Ralph Nader in 2004.


## Exclusion of Third Parties

It is clear that the two major parties do not want third parties to have a place in American politics, as they would provide competition. It is therefore in their nature to exclude third parties from the electoral system. There are a number of means by which this exclusion is accomplished. The most important of these factors include ballot access, campaign funding, media coverage, the electoral system, and the public perception of the status quo; although there are several other minor reasons that will be discussed.

*Ballot Access*

The first major complication for a third party candidate is to make it on to the ballot.  The election process is left to each individual state and every state has a different method for getting on the ballot.  Some states have a simple process and only a minimal amount of signatures are required.  In others, a significant amount of signatures are required within a very short deadline, often accompanied by a huge filing fee.  In Oklahoma, for example, petitions must be signed by 36,202 people in a state of 3,350,000[26].  This equals 1% of the total population, children and nonvoters included, and almost 3% of the 2000 electorate[27].  In California, over 150,000 signatures are required[28].  In Texas, almost 38,000 signatures must be collected in just seventy-five days, and nobody who participated in the primary is allowed to sign[29].  This is the case in several other states as well.  In some of these states, signatures are collected before the primary, so petitioners have no way of knowing how many of the signatories will abstain from the primary and remain valid[30].  Additionally, collected signatures are carefully scrutinized once they are turned in, and it is not uncommon to have half of the signatures ruled invalid.  This renders North Carolina's requirement of 51,000 signatures much stricter.  Candidates in that state regularly aim for 90,000 signatures or more to be safe[31].  Pat Buchanan spent more than $200,000 to get the necessary signatures in North Carolina in 2000[32].  Many sates also impose significant filing fees, such as $4,000 for West Virginia and Georgia[33].  In many places the two major parties have little problem complying with the requirements, but in many others the requirements are not even the same.  In Illinois, minor parties are required to collect 25,000 signatures, while the two main parties only have to collect 5,000[34].  In Pennsylvania, petitions must be submitted on special paper; an insufficient amount of which was provided to Ralph Nader in 2000, and he was unable to duplicate more[35].  Petitioners are often prevented from collecting signatures in certain places and have been forcibly removed from parks, state property, town squares, public

markets, and many other locations[36]. Ballot access laws are generally so restrictive that many candidates are stopped at this stage, while many others are forced to campaign in a minimal number of states. In many cases, write-in candidacies are not an option, as the requirements are just as strict or nearly so. As a result, ballot access laws have led to the failure of many campaigns.

*Campaign Funding*

Once candidates secure ballot lines, they are then left with the daunting task of raising campaign funds. This is also especially difficult for third parties. The two main parties regularly receive extremely large donations from corporations and other interests, but third party candidates rarely do. The largest donation by a single group to a third party candidate in the 2004 presidential election was a $31,000 donation from Kafoury & McDougal to Ralph Nader[37]. Excluding Nader, the largest donation was $4,000 to Constitution Party candidate Michael Peroutka[38]. George W. Bush's largest campaign contribution, on the other hand, was $599,730 from Morgan Stanley and John Kerry's largest was $606,625 from the University of California[39]. Large donors typically donate money not with the intent of helping the cause, but rather to build political capital. This becomes clear by observing the list of the top twenty donors to the two main campaigns; the following seven can be found on both lists: Morgan Stanley, UBS Americas, Goldman Sachs, Citigroup, Bank of America, JP Morgan Chase, and Microsoft Corp[40]. If Citigroup was truly making contributions to help the campaign, it would not likely give $312,100 to George Bush and $274,431 to John Kerry[41]. Large donors are seeking redeemable political capital, and third party candidates do not win elections. As such, large donors do not donate to third parties.

Additionally, some third parties are morally opposed to accepting large donations from corporations. David Cobb, the Green Party's presidential candidate in 2004, did not receive any corporate donations because the Green Party supports

publicly funded campaigns[42].  There is currently a system for publicly funded campaigns, established under the Federal Election Campaign Act Amendments of 1974, but it is difficult to qualify for funds[43].  Third party candidates operate under a different set of rules than candidates from the two main parties. Candidates only receive funds if their party has received more than 5% of the vote in a previous election[44].  This has only happened three times since 1974[45].  Public funding is usually only available to the two major parties, which often times opt out in favor of raising their own funds with fewer spending restrictions; George Bush did so during the 2000 Republican primary, and it worked very much in his favor[46].  While the two major parties have the luxury of choosing the source of their funds, third parties are lucky to receive even a fraction of that money.


*Media Coverage*

        When a third party does raise enough money to run a campaign, it faces its next challenge: exposure.  The media rarely runs stories about third party candidates.  First, the mainstream media does not cover the presidential nominating conventions of third parties.  Millions of people watched cable and network news to see the Democratic and Republican conventions, held in Boston and New York City, respectively. However, no major media coverage was allotted for the Green Party's first presidential nomination convention, held in Milwaukee, Wisconsin, or the Libertarian convention, held in Atlanta, Georgia.  When these conventions are not covered, the electorate does not even know that minor party candidates are running, let alone what their platform is.
        Secondly, third party candidates are excluded from the debates not just by the media, but by the Commission on Presidential Debates.  The Commission was created in a joint effort by the Democratic and Republican parties, and is still co-chaired by the 1987 chairmen of the Democratic and Republican National Committees, with former presidents Gerald Ford, Jimmy Carter, Ronald Reagan, and Bill Clinton

acting as honorary co-chairs[47].  Since the first televised debate in 1960, only two non-major party candidates have been allowed to debate: John Anderson in 1980 and Ross Perot in 1992, both Independents.  Ross Perot was not allowed to debate in 1996, nor was Ralph Nader in 2000 or 2004. Michael Badnarik of the Libertarian Party and David Cobb of the Green Party were not only precluded from participation in the 2004 debates, but were actually arrested: Cobb for trying to purchase tickets to view the event and Badnarik for trying to serve the Commission with legal papers[48].  Third party candidates often come together to host their own debates, but these debates are rarely legitimized in the eyes of the public by the presence of a major party candidate.  Because third party candidates are not allowed to participate in debates with major parties, their voices remain nearly unheard through a period that many consider to be a candidate's best opportunity to relay his or her message.

Lastly, third party candidates receive a minimal amount of exposure on daily news.  The arrests of Cobb and Badnarik, for example, were not reported on network news.  When such reports are made, they are often done in such a way that the third party candidate is further marginalized.  For example, Cobb and Badnarik called for a recount of the Ohio ballots after the 2004 election; this was the only significant coverage of either candidate during the entire election process, and it came after the votes were in.  Many reports did not treat the candidates as if they were doing a service to democracy, but rather as if they were wasting taxpayers' time.  The candidates even raised $150,000 themselves to file for the recount, as well as tens of thousands more to fund the process[49].  When Ralph Nader announced that he would run for president in 2000, four networks showed up to cover the event.  That night, however, not one network ran a story about his candidacy; nor did they in the days that followed[50].  Media coverage has been a significant problem for all minor-party candidates, whether in the form of radio, newspapers, or the current staple outlet, television.  The system is beginning to change, however, as the internet and web logs (blogs) are becoming more popular

and accessible.


*The Electoral System*

  If a third party were to have a well-funded, well-publicized candidate on the ballot in a sufficient number of states, it would face its final institutional challenge: the electoral system.  Many of the elements of the system have been designed to exclude third parties.  In order for a candidate to win the election, he or she must receive a majority of the electoral votes, not the popular votes.  Electoral votes are granted to candidates when they receive the most votes, or a plurality, in a given state.  There are currently 538 electoral votes available, which means the winning candidate in an election would need 270 of these votes.  For example: if John McCain were to run for president in 2008 and receive more votes in Ohio than any other candidate, he would be awarded that state's 20 electoral votes.  There are many problems with this system; the most evident being that a candidate could win the election without receiving the most popular votes.  The Electoral College has failed to elect the winner of the popular vote on at least four occasions; some would argue five.  In 1824, John Quincy Adams lost both the popular vote and the electoral vote to Andrew Jackson.  However, because neither candidate received more than 50% of the electoral votes, the House of Representatives voted to make Adams the president[51].  Rutherford B. Hayes lost the popular vote to Samuel Tilden by about 500,000 votes in 1876; Benjamin Harrison lost to Grover Cleveland by 95,000 votes in 1880; and George Bush fell 500,000 votes short of Al Gore in 2000.  However, all three candidates won the electoral votes[52].  Additionally, the popular vote tally for the 1960 election was not clear due to charges of voter fraud.  It is possible that John F. Kennedy lost the popular vote to Richard Nixon, even though he won the electoral vote[53].  In each of these cases, the winner of the popular vote was not awarded the presidency, even when the difference was 500,000 votes.  Another event could have taken place in the 2004 election that would have

made the aforementioned look trivial: had challenger John Kerry received a mere 120,000 additional votes in Ohio, he would have been awarded the presidency despite losing the popular vote by almost 3.5 million votes[54].

Another problem with the Electoral College is the winner-takes-all system, which prevents third parties from even placing in election standings. Forty-eight states and Washington D.C. award electoral votes based on a winner-takes-all system. That is, whoever receives the most votes receives all of the electoral votes for that state instead of some portion thereof. A third party candidate would have to receive more votes than the Democratic and Republican candidates in order to receive a single electoral vote. This is demonstrated by examining the results of the 1992 presidential election between Democrat Bill Clinton, Republican George Bush, and Independent Ross Perot. In the state of Nevada, Clinton received 37% of the vote, while Bush received 35% and Perot received 26%[55]. Although Clinton only won the state by 13,000 votes, he was awarded all four electoral votes. Perot received more than one quarter of the popular vote, but did not get even one of the four electoral votes. Despite beating Clinton in Utah and Bush in Maine, as well as receiving 19% of the national popular vote, Perot did not receive a single electoral vote. If the Electoral College operated on a proportional system, instead of a winner-takes-all system, Perot would have received something approximating 19% of the electoral votes. His total would most likely not equal 19% but instead approximate it; this is another problem with the electoral system, and there are two reasons for it. First, the electoral votes would be a rounded-off version of the popular votes: in the example above, Perot would receive 26% of the popular vote and 25% of the electoral vote in Nevada. Second, the Electoral College is weighted to favor small states. The number of votes a state receives is equal to the number of Senators, which is fixed at two, plus the number of Representatives, which is based on population. The result is that, in the 2000 election, Texas received an electoral vote for every 651,619 people, while Wyoming received an

electoral vote for every 164,594 people, making the people of Wyoming's votes worth four times that of the people of Texas's votes[56].

Another electoral obstruction, though it does not relate to presidential elections, is the single-member representation system; in which each Congressional district is represented by a single individual. The alternative system, proportional representation, would create multiple-member districts that could elect representatives of several different parties if the vote were split in that manner[57]. This would encourage third party participation, as they could be given representation for receiving a sufficient number of votes, regardless of whether they received a plurality of votes. Under the current system, a third party could come within several percentage points of winning in each district in the state while still receiving no seats.

Another problem with the electoral system is that the winner only needs a plurality of votes. If ten candidates were to run in Arizona, the winner would only need to receive 11% of the votes to win that state, assuming the votes were divided equally. Consider again the results of the 1992 race in Nevada. If Perot had not been running, it may be assumed that most of his votes would go to Bush, as Perot was also a conservative candidate. Even if only 56% of Perot voters would have voted for Bush, he would have won the state had Perot not run[58]. In fact, it is possible that if Perot had not run at all, Bush would have won the election. If there are more conservative voters, it follows that a conservative candidate should win. This does not always happen because of vote-splitting. Clearly, the conservatives were split between Bush and Perot, allowing a liberal minority to gain a plurality of votes. When applied to third parties, this vote-splitting effect is termed "spoiling". A solution to this problem is a system called instant runoff voting, or ranked choice voting. In this system, voters would rank the candidates in the order they would vote for them instead of selecting a single candidate. When the votes are counted, if a candidate receives more than 50% of the votes, he or she automatically wins. If not,

an instant runoff is initiated. The lowest scoring candidate is dropped from the race, and the election is recounted using the second choice candidate for any voter who selected the now dropped candidate. After the first runoff is finished, if no candidate has a majority, another round is initiated. This would continue until a candidate receives a majority, possibly until there are only two candidates remaining. This system effectively eliminates the vote-splitting effect while also ensuring that the winning candidate has a true majority. Another electoral reform that has been proposed, though it would not directly benefit third parties, might help to demonstrate the public's desire for alternative choices: ballots with the added option of "none of the above[59]." Voters who felt that neither candidate adequately represented their beliefs, but still wanted to voice an opinion, could mark "none of the above" to demonstrate their desire for better candidates. These votes would be counted and reported, which does not happen when a ballot is left blank. Also, many people leave ballots blank for other reasons such as they do not feel educated enough to choose but "none of the above" would be a clear display of no confidence in the given candidates.

The combination of all of these factors contributes to an atmosphere in which third parties are at a significant disadvantage. Changing even one of these practices could lead to a significant increase in third party participation.

*Status Quo*

Another major force working against third parties is rooted in the convictions of the American public, the public's belief in the status quo being perhaps the most damaging of all factors. Many people believe that America is a two party country and that the Democrats and Republicans have been around since the inception of the nation. As discussed earlier, these are both fallacies. Furthermore, people do not want to vote for a candidate that is certain to lose; they feel they are "throwing their vote away." People also do not want to vote for a third party candidate and have the candidate win that

they consider to be the "lesser of two evils." Major party politicians perpetuate both of these fears, and have done so for many years. Franklin Roosevelt urged voters not to vote for Socialist Norman Thomas in 1932, and Strom Thurmond argued in 1968, "A vote for Wallace [American Independent] is a vote for Humphrey [Democrat][60]." Ross Perot reversed the vote-wasting argument in 1992, with the slogan, "Don't waste your vote on politics as usual[61]." If a system of instant runoff voting was instituted, people could safely vote for third parties and still have the opportunity to participate in the final round of voting should their third party candidate be eliminated. The beliefs of the public not only work to the disadvantage of third party candidates but also to the disadvantage of the reforms that would help such candidates. Despite anyone who might say that instant runoff voting or universal public funding of elections sound like good ideas, when it comes to a decision, people trust the status quo. For example: a proportional representation initiative on the Colorado ballot in 2004 received a lot of attention, but ultimately failed on Election Day. People may have the tendency to trust that the framers of the Constitution knew everything and had all of the right answers, when in fact this may not be the case. Despite the fact that slavery is both illegal and highly stigmatized, it was not addressed in the Constitution. The American public trusts the system and it is unlikely that there will be any significant change until the public becomes more cautious of the status quo.

*Other Factors*

In addition to the aforementioned factors, there are other smaller factors that contribute to the exclusion of minor parties. One is the availability of candidates: it is often difficult to find respected politicians who are willing to run on a third party ticket. It has happened many times, as in the cases of Progressive Theodore Roosevelt in 1912, American Independent George Wallace in 1968, Independent John Anderson in 1980, and Green Ralph Nader in 2000[62]. All of

these individuals were well known and able to make a modest or significant showing in the polls. Most parties, however, have never been able to find a recognizable candidate; the Libertarian, Constitution, and Peace and Freedom Parties are all examples. Also, because of the campaign finance issues described earlier, third party candidates are most successful when they are able to finance their own campaigns, as in the case of Reform Party candidate Ross Perot in 1992, who was independently wealthy. Perot had the highest popular vote for a third party member in 80 years[63].

Often times, third parties will take the route of interest groups and offer to endorse a major party candidate in return for concessions. The problem here is that political parties are far more specific than interest groups. Whereas an interest group has one or two specific issues, such as protecting the environment for the Sierra Club or ending abortion for Right to Life, a political party has a stance on nearly every issue. It would therefore be ineffective for a third party to attempt concessions out of a major party by threatening to endorse the opposite party, as they would likely disagree on most issues[64]. For example, consider a race between a Democrat and a Republican. If a liberal third party wanted to gain concessions from the Democratic Party by offering an endorsement, the Democrats would likely say no. The liberal third party would never endorse a candidate of the Republican Party, so the liberal party has no weight to pull over the Democrats. The worst that the third party can do is not endorse them. This is no help to the Democrats, but it is no real harm either. Third parties may not want to endorse major parties very often, however; if it becomes a regular event the third party may become a subgroup of the major party[65].

In some cases, politicians may be able to run for both parties instead of simply receiving an endorsement. This was the case in the 1933 New York City Mayoral race. Fiorello LaGuardia was able to run for both the Republican Party and the Fusion Party, the real advantage being that the two parties showed up separately on the ballot, enabling LaGuardia voters to choose for which party they would like to vote[66]. Voters

were able to vote for a third party candidate and a winning candidate simultaneously.

Lastly, third parties have an additional disadvantage during specific periods of time where partisanship is high. In the 2004 election, for example, third parties had a very poor showing overall, as it was a highly partisan election. News organizations and prominent celebrities often referred to it as "the most important election of our lives." Similar levels of partisanship could be seen in the 1960 election, as well: civil rights was becoming a major political issue and very few people failed to vote for a major party candidate[67]. Alternately, the 1992 election saw relatively low partisanship and a very strong showing for Ross Perot.

History has shown that third parties have little chance of winning any major electoral victories. After investigating the laws and practices that relate to political parties and participation in elections, the reason for this is obvious. The Spatial Theory of Elections demonstrates that the two major parties have no investment in any third party becoming a salient political force, and are willing to work together to avoid this. The major parties do not want their votes to be split or their agendas manipulated, and they do not want to jeopardize potential legislative majorities and be forced to build inter-party coalitions. They do not want to lose elections and do not want to talk about many of the issues that third parties stress. Due to careful manipulation of pertinent electoral institutions, governmental as well as corporate, the major parties have managed to put themselves in an ideal position to be in power for many years to come. Though it is clearly the nature of the system, it is unfortunate that the United States entrusts the members of two political parties with the power to create and maintain the laws that govern their parties. With such a conflict of interest it is difficult to imagine how the institutions could be changed to allow for more participation, but ultimate power does rest in the hands of the people. Indeed, it is the nation's responsibility to make many crucial decisions regarding our democracy. We must decide if we want to allow third parties to participate in our

processes, and evaluate whether two parties are enough to represent our diverse views. We must determine if we want to hear alternative voices and arguments, and decide if we want to institute reforms that will benefit such parties. These are all difficult and complex issues that deserve considerable debate. However, the actions of the two-party system have prevented such debate from ever reaching the ears of the American public.

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