



SCOT SCHRAUFNAGEL

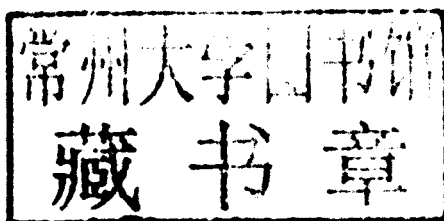
Third Party Blues

THE TRUTH AND CONSEQUENCES
OF TWO-PARTY DOMINANCE

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Scot Schraufnagel



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Third Party Blues

More than many areas of American politics research, studies of minor party competition and success are often overly driven by normative concerns backed by little empirical scrutiny. This concise book presents a concerted effort to analyze the barriers in election law, such as ballot access restrictions and single-member districts with a plurality rule, that prevent third parties from gaining a durable hold in American politics.

Rather than trudge through yet another history of third parties in America or polemical arguments for minor party inclusion, Schraufnagel provides empirical grounding for the claims of third party backers. This thoughtful analysis demonstrates that the inclusion of third parties improves electoral participation rates and that third party involvement in the legislative process is linked to landmark legislative productivity. In the end, the work provides thoughtful suggestions on the types of reforms that would lead to greater third party success in American elections.

Scot Schraufnagel is an Assistant Professor in the Department of Political Science at Northern Illinois University. His research and teaching focuses on political parties, elections, and legislatures in the United States, with an emphasis on promoting a civil, representative, and effective governing process. Schraufnagel has been recognized for teaching excellence and has been published in a number of leading political science journals.

Controversies in Electoral Democracy and Representation

Matthew J. Streb, Series Editor

The Routledge series *Controversies in Electoral Democracy and Representation* presents cutting edge scholarship and innovative thinking on a broad range of issues relating to democratic practice and theory. An electoral democracy, to be effective, must show a strong relationship between representation and a fair open election process. Designed to foster debate and challenge assumptions about how elections and democratic representation *should* work, titles in the series present a strong but fair argument on topics related to elections, voting behavior, party and media involvement, representation, and democratic theory.

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Third Party Blues

The Truth and Consequences of Two-Party Dominance

Scot Schraufnagel

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In Defense of Politicians

Stephen K. Medvic

To my wife who put up with me going back to school twice in the first ten years of our marriage and our two lovely daughters, Hillary and Autumn.

Preface

I was born in 1959 and socialized to support the Republican Party by my business-owner father. But, my maternal grandfather was a pro-union Democrat. I recall my father defending Richard Nixon, but I also remember his younger brother saying good things about John F. Kennedy and I was confused. As a young boy of about six, I got out the encyclopedia one day and tried to show my Democrat grandfather that all of the famous presidents had been Republican. The encyclopedia listed Thomas Jefferson as a Republican and neither grandpa nor I knew that this was not the same Republican Party in existence in the 1960s. I continued supporting the Republican Party up through most of Watergate in the early 1970s. Those of you that can remember know it became very difficult to be a vocal supporter of Richard Nixon in 1973–74. Yet I was. I remember arguing with classmates about the virtues of President Nixon and biting my pillow at night screaming in my head—“burn the tapes,” “burn the tapes!” A reference to the tape recordings that were found to exist and likely contained information that would find Nixon culpable of “high crimes and misdemeanors,” grounds for impeachment.

As an 18-year-old college freshman in 1977 I was convinced that we needed a third party in American politics. Jimmy Carter was president and he was advocating for a Selective Service System (SSS) that would require 18–26 year olds to register with the national government so that information could be maintained on those potentially eligible for military conscription. Vietnam was very fresh in my mind and I had begun to view military violence with a great deal of suspicion. I vaguely sensed the crippled Republican Party (post-Watergate) would not do much to stop the Carter initiative from becoming reality. So I joined the Revolutionary Communist Youth Brigade (RCYB), which was planning to demonstrate against the selective service program. The RCYB rhetoric also entailed the overthrow of the national government, which seemed a bit harsh to me, but at least they expressed a fresh point of view and I liked that. When the police showed up at a RCYB rally at Kent State, which was intended as a protest against the planned construction of a gymnasium on the site where students had lost their lives five years earlier, I broke from the formation of RCYB supporters and decided this kind of violence was not for

me either. Further disillusionment ensued. I quit the RCYB and decided to try to forget about politics for awhile.

Along came John Anderson, independent candidate for president in 1980. My political fire was ignited and I thought the answer had been found. At least I hoped so, and decided to get active again, joining Anderson's political campaign in Madison, Wisconsin as a volunteer. I learned very quickly, however, that it was not going to be a fair contest. Anderson was having difficulty getting his name on the ballot in many states. How could this be? Surely, the rules for ballot access must be the same for everyone. Moreover, I sensed the media was not giving Anderson the same chance of winning as the other candidates, which happened to be accurate journalism but I did not see it that way. I knew enough about human nature that if the media kept referencing Anderson's candidacy as a "long shot" and his electoral chances as "slim" that this would depress the enthusiasm of potential supporters. Who was going to vote for someone who was being portrayed as a loser before he even got started? When Ronald Reagan won handily in 1980 I became convinced that the political system was broke, and vowed to leave the country as soon as I could. I am not sure why, I just wanted out.

Upon graduation from college, I joined the Peace Corps and low and behold wound up working for President Ronald Reagan. I did succeed in leaving the country but not under the conditions I had imagined. As a Peace Corps in the early 1980s, I got to experience firsthand the selective austerity measures of the Reagan Administration. Peace Corps stipends, about 30 dollars per month, were not to be increased in 1983 and Sierra Leone, West African volunteers would need to share one doctor with volunteers in other West African nations. Previously, each West African nation had its own Peace Corps doctor. I somehow managed to successfully complete Peace Corps service having survived several bouts of malaria and the budget cuts, and was traveling back to the United States when I learned that Reagan was getting re-elected in a landslide. What had he done that was worthy of so much support, I was wondering? I was not impressed with Walter Mondale and I could see why he might lose—I just could not understand how a Hollywood actor with less than impressive film credentials could have won—again! There must be other individuals who could do a better job than Reagan. In a country as large and as well-educated as the United States of America, there must be more than Ronald Reagan and Walter Mondale to choose from. Are these two really the best we have to offer? Subsequently, I have pondered that same query it seems endlessly in regards to races to fill governorships, United States Senate and House seats, and races for state and local government offices.

Fast forward to the future and what are the realistic prospects for third party candidates in the United States in the 21st century? Truth be told, the diagnosis for third parties and independent candidates in 2011 forward, under existing election laws, is ruin. The only saving grace is that death will often come quickly. Why is this so? Can it be that the Democratic and Republican

Parties continue to represent everything and anything good and they are all anyone could ever possibly want in a political party? Interestingly, a recent Wall Street Journal–NBC poll found that 31 percent of Americans agreed with the statement, “The two-party system is seriously broken, and the country needs a third party.” The National Election Study (NES) conducted by the University of Michigan routinely finds about a third of Americans do not immediately identify with either the Republican or Democratic Parties. In states that require you to join one of the two major political parties in order to vote in party primaries, there have always been significant numbers of people who choose not to do so, even when it means they will be shut out of the candidate selection process. This is neither new news nor old news. Since the early days of the country, and still today, there is public sentiment in favor of third parties. Successful and sustained third parties electoral achievement, however, has been and is missing.

If one did not know better, one might imagine the system is rigged to promote two-party dominance. Oh sure, an occasional third party or independent candidate wins a race now and then, but in terms of sustained-broad third party achievement it has really never existed in the United States. The last time a third party candidate became president it was Abraham Lincoln, representing the Republicans, in 1860. But this party was only six years old at the time and it very quickly, even before 1860, became one of the two dominant political parties. In Chapter 4, I will look to isolate the influence third parties have had on policy making in the United States. In doing so it will be necessary to identify a time period when third parties had a reasonable level of electoral success in national politics in order to provide a practical test. To do this it will be necessary to go back before the 76th Congress (1939–40). There has been no real third party representation since. Even in the earlier era, third party electoral success was relatively short lived and never amounted to any kind of permanent opposition to the partisan duopoly that has come to shape the legislative process and politics generally in the United States.

This book seeks to tell the story about what blocks meaningful third party opposition in the United States. A primary assumption driving the work is that a high level of political party competition is what defines quality elections and a competent electoral system. Continuing down the assumptive thread, the research holds that competitive-quality elections prompt a more engaged and representative legislative discourse and this, in turn, leads to higher-quality public policies. These assumptions are not original and have been effectively argued by competent scholars and third party advocates for some time. That is good news from my perspective. I will not need to reinvent theory used to justify the value of more meaningful electoral competition, nor the worth of consequential third party competition.

What then is the value of yet another book on the dismal plight of third parties in the United States? Others have written about how the electoral deck of cards is stacked against third parties, and still others expressly advocate for

third party inclusion in government. The problem with these earlier works is that they have not yet accomplished what they set out to do, make the American public more aware that the grounds for third party failure is a “stacked deck” and that without fundamental change in existing election laws there is no hope for third party success.

In the course of research for this book, I have tried every imaginable way to convince myself that I was wrong. I tried to convince myself that third parties only need easier ballot access; that third parties do not really stimulate public interest in politics; and that third parties when they have been successful have not had any meaningful influence on important legislative accomplishments. As a political scientist I am trained to try to prove my pet theories wrong. In this effort I have failed miserably.

Hence, the purpose of the book is twofold. First, to provide empirical evidence of the factors preventing third parties from being successful in the United States. Not just conjecture or speculation about why third parties fail, but hard evidence born of rigorous empirical testing that explains the real cause of third party failure. Second, the book intends to provide empirical grounding and evidence to support the value of third parties in terms of higher-quality legislative productivity and a more engaged and politically active public. To date, strong theoretical arguments have been made in support of third party inclusion in the United States and others have readily recognized that there are considerable electoral barriers for third parties to navigate. What has not been accomplished is a comprehensive statement concerning the true cause of third party misfortune and the measureable real-world consequences of two-party dominance.

Acknowledgments

I have been blessed with two mentors in my still relatively short academic career. Jeffery Mondak and Lawrence C. Dodd have been instrumental in the development of the ideas contained within this book. In particular, early work with Mondak helped to shape my thinking about partisan difference. Our earlier co-authored work found that the two major parties are distinct but fail to represent the full spectrum of ideological viewpoints. My ongoing work with Dodd continues to influence the way I think about legislative process and legislative accomplishment. Professor Dodd was particularly instrumental in the development of the theory regarding the paradoxical quality of legislative conflict found in Chapter 4.

I could not have completed work on this project without the dedicated research assistance received from students at Northern Illinois University. The extent to which each of the students listed below contributed varies, yet, each one was instrumental. I am listing the names alphabetically to avoid trying to make qualitative judgments about whose input was most valuable. The bottom line, the work would not have been completed during the summer of 2010 without the assistance of Austin Bergen, Ben Bingle, James Carter, Jenn Soss, and Matthew Venaas. There is one additional student that needs to be mentioned. Kerri Milita provided invaluable assistance over a period of approximately three years while we were both at the University of Central Florida. She assisted in the development of most of the original data bases employed in the book. In some instances the student will pass the teacher in both knowledge and accomplishment. I am certain that will be the case with Kerri.

Reader's Note

Throughout this book the term “third party” will be used. Of course, in many instances there have been fourth and fifth political parties running for elected office. The term “third party” is used generically to refer to any political party organization other than the two dominant political parties. “Third party” is not used, however, to refer to independent candidates running for public office or independent politicians who have managed to hold public office. These individuals will be referred to as “independents,” and the state they reside in or represent will be noted. In addition, the term “non-major party candidate” will be used; particularly, in Chapters 2 and 3 that test the role election rules play in deciding the fate of candidates. The term “non-major party candidate” includes members of third parties and independent candidates or anyone receiving votes that are not a member of one of the two major political parties.

Throughout the volume there will be reference to the actual number of third party members that have served in Congress or state legislatures. Different historical accounts often vary when reporting third party representation. This occurs for two justifiable reasons. First, some historical accounts will use the number of seats won by a third party while other sources count the actual number of people who have served under the third party label. When a third party member of Congress has died or leaves office for any reason and the vacancy is subsequently filled by a different third party member, the level of third party representation will vary in different historical accounts. Second, third party candidates have often won office as fusion candidates where the individual represents both a third party and one of the major political parties. In these instances, there can also be discrepancies in reporting the level of third party representation. Some accounts choose to regard the individual as representing the major party and others count the candidate as a third party representative.

When stating levels of third party representation in the United States Congress, this work uses the numbers provided by the Clerk of the United States House of Representatives website and the Secretary of the United States

Senate website. References to third party representation in state legislatures are obtained from Michael J. Dubin, *Party Affiliations in the State Legislatures: A Year by Year Summary, 1796–2006* (Jefferson, NC: McFarland and Company), 2007; and cross referenced with data from *The Book of the States* published by the Council of State Governments, Lexington, Kentucky.

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