

Spoilers and the Two-Party Myth

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Abstract

While America's two major political parties share responsibilities, benefits, and values with each other, they do everything in their power to withhold recognition from "third" parties and their candidates. This attitude of exclusion combined with a simple plurality voting system creates the phenomenon of the Third Party Spoiler and helps foster apathy among those who fall outside of the so-called Two-Party System.

On November 19, 2003 it was my privilege to attend a speech by former President Bill Clinton delivered here at Aichi Gakuin University. The title of his speech was Embracing Our Common Humanity: Security and Prosperity in the 21st Century. He talked about the need for the whole world to share responsibilities, benefits, and values in order to make every person count as part of a shared future. At the end of his speech four university students were allowed to ask questions. The fourth question was about political apathy among young people. Clinton responded that there are two causes for this apathy: (a) interest in other things more directly connected with their lives and (b) a feeling that they do not have any power to change things, to make a difference. It was at this point that he referred to the Presidential election of 2000 as an example of how a few voters can make a big difference, then, in an aside, bemoaned the effect of third party candidate Ralph Nader's participation in that very close election. In this article I would like to address this phenomenon of the Third Party Spoiler in American politics.

Independent and Third Party "Spoilers"

Let's first take a look at the 2000 Presidential elections and Ralph Nader's candidacy. Presidential elections are decided by *electoral* votes rather than *popular* votes. Democrat Al Gore actually received 543,897 more popular votes than his Republican rival George Bush, Jr., but came up five electoral votes short of Bush (Unknown, 2002i). Thus a recount which could overturn a Bush victory in any state having even three electoral votes would have given the Presidency to Gore. As soon as the polls closed attention immediately

million votes	candidates	million votes	candidates	electoral votes
2.883	Nader			
0.449	Buchanan			
0.384	Browne	50.5	Bush	271
0.098	Phillips	51.0	Gore	266
0.084	Hagelin	— 0.5	difference	5
0.051	others			
3.949	total			

Table 1 Presidential Election of 2000

focused on Florida. Bush won that state's twenty-five electoral votes by a razor thin margin of only 537 votes. Democrats demanded a recount. Republicans stalled. The two parties haggled in the Florida courts, then the U.S. Supreme Court, about the proper procedures for a recount, until time ran out and the victory went to Bush.

Clinton's comments in his Aichi Gakuin speech reflect the feeling of many Gore supporters (Unknown, 2002c) that Green Party candidate Ralph Nader siphoned off enough votes from Gore to cost Democrats the decisive election in Florida, in effect, spoiling the competition between the *two major parties*. Clinton's stake in Gore's election is clear. As a two-term President (1993–2001), Clinton could not himself run for another term in office. Election to a third term was legally prohibited by a Constitutional Amendment enacted after President Franklin Roosevelt died during his fourth term in office. Clinton's Vice President, Al Gore, thus became the standard bearer for the Democratic Party and the continuation of Clinton's policies. Although Nader, a well-known environmental activist, was only one of more than five "third" party candidates, he captured 73% of the "third party" popular vote (Unknown, 2002i). None of these candidates was able to win a state election, a prerequisite in almost every state for getting electoral votes. Nader accumulated 97,421 votes in Florida. In the absence of any third party challengers, how would these votes have been distributed between Gore and Bush? Some of the voters could be predicted to stay at home, feeling apathetic about a choice between the two major parties. Clinton (2003), however, asserted that there was a "massive difference" between the

thousand votes	candidates	thousand votes	candidates	electorcal votes
97.421	Nader			
17.412	Buchanan			
16.102	Browne	2,912.790	Bush	25
1.378	Phillips	2,912.253	Gore	0
2.274	Hagelin	0.537	difference	25
3.027	others			
137.614	total			

Table 2 The 2000 Presidential Election in Florida

environmental policies of Gore and Bush, implying that a great majority of the voters *would* have voted and their votes would have gone overwhelmingly to Gore. If so, the difference would have provided Gore with a comfortable margin in the polls, a decisive victory in Florida, and a forty-five vote lead in the electoral results.

Nader's "third party" candidacy is not an unusual or isolated incident, and Clinton is not the first to complain about how having a third candidate distorts and confuses elections. (For a historical and academic perspective on the search for solutions to this problem see O'Connor and Robertson, 2002.) John Anderson ran into strong opposition to his candidacy as an independent in the 1980 Presidential election. Anderson had initially run as a moderate in the Republican primary elections (Unknown, 2002f). After losing his party's nomination to Reagan, however, he continued to fight as an independent against the conservative platform of Reagan Republicans. Many in his party were afraid that he would split the Republican vote and weaken Reagan's challenge to the Carter administration. With more than 80% of the "third party" vote, Anderson dominated the pack and tallied very nearly twice the popular vote that Nader was to accumulate 20 years later, but no electoral votes. In the end, it did not make any difference. In fact, he may have helped Reagan by enticing moderate voters away from Carter. Reagan trounced Carter, winning in all but a handful of states and taking an impressive 90% of the electoral vote.

million votes	candidates	million votes	candidates	electoral votes
5.720	Anderson			
0.921	Clark	43.9	Reagan	489
0.234	Commoner	35.5	Carter	49
0.254	others	8.4	difference	440
7.130	total			

Table 3 Presidential Election of 1980

Nor is President Bush, Jr. the first presidential candidate to benefit from the effects of a strong "third party" candidate. Ross Perot may well have siphoned off votes from President Bush, Sr. as an independent candidate in 1992 and from Robert Dole as a candidate for the Reform Party in 1996

pushing Bill Clinton further ahead in his bids for election and re-election. Was it enough to have made any difference? Perot achieved a phenomenal 18.9% of the total popular vote in 1992—19,741,065 votes (Unknown, 2002g). This is more than three times the difference between Bush, Sr. and Clinton's tallies—5,805,911 votes. Still, with his substantial margin of 202 electoral votes, Clinton probably would have won even without Perot in the race. The 1996 race is not in any doubt. Dole could not have won the popular vote even with all of Perot's votes going to him (Unknown, 2002h).

million votes	candidates	million votes	candidates	electoral votes
19.741	Perot			
0.292	Marrou			
0.107	Gritz	44.9	Clinton	370
0.074	Fulani	39.1	Bush	168
0.376	others	5.8	difference	202
20.590	total			

Table 4 Presidential Election of 1992

million votes	candidates	million votes	candidates	electoral votes
8.085	Perot			
0.685	Nader			
0.486	Browne	47.4	Clinton	379
0.185	Phillips	39.2	Dole	159
0.114	Hagelin	8.2	difference	220
0.122	others			
9.677	total			

Table 5 Presidential Election of 1996

The Myth of the "Two Party System"

Many Americans mistakenly believe that the United States has a two-party system: the Democrats and the Republicans. Although simple plurality elections tend to create a two-party system (Unknown, 2002d), the U.S. Constitution makes no mention of political parties at all. Nor was the first President, who ran unopposed, a member of any party. Parties began with a

split between cliques that became the Federalists (only John Adams won election to the Presidency) and the Democratic-Republicans (the Party of Thomas Jefferson). Democratic-Republicans became simply Democrats, and the Federalist Party was replaced by other “second” parties, notably the Whigs, then the Republicans. The Republican Party prevailed in the 1860 Presidential election and the civil war that followed, becoming an equal of the Democratic Party. Various “third parties” have appeared and disappeared without ever having elected a President, even when their candidate was a former President. Martin Van Buren ran with the Free Soil Party in 1848, and Theodore Roosevelt as a Progressive in 1912 (Unknown, 2002e).

To a certain extent this perception of America’s having a two-party system *creates* that “reality”. Like the Green Party, the Reform Party, the Libertarian Party, and other parties with Presidential candidates in 2000, almost all “third parties” are systematically and studiously ignored by politicians from the two major parties, large political contributors, and the mass media. With media encouragement tactical voting for leading contenders poses a serious barrier to any new political force (Unknown, 2002a and 2002b). Allow me to illustrate with examples taken from my own personal experience.

Anybody can start their own political group. To become a real political party, however, such a group has to have *ballot status* in one or more states. Even federal elections are administered by the individual states. To qualify for ballot status the group needs to get a petition signed a certain percentage of the registered voters. In the State of Hawaii the requirement is five percent. (I believe this is a common figure for other states as well.) This is quite an undertaking and may be legally challenged by individuals or groups that wish to protect the “two-party system”. That’s what happened in 1972 when supporters of Dr. Benjamin Spock tried to get his name on the ballot in Hawaii. Their petition was challenged and initially rejected. The dispute ended up in the United States District Court for the District of Hawaii, where Judge Martin Pence eventually ruled in favor of the People’s Party of Hawaii. The 1972 elections were long over by that time, so the party was granted ballot status for the next elections, in 1974.

What about the two major parties? What is the basis for their continued

ballot status? As long as they continue to get at least 10% of the vote in any state-wide election or in more than half of certain categories of smaller districts, they continue to keep their ballot status. As long as "third parties" are effectively marginalized, automatic renewal of the two major parties' ballot status can almost be guaranteed. So, in the summer of 1974 Hawaii had three official political parties: the Democratic Party, the Republican Party, and the People's Party of Hawaii.

I was on a leave-of-absence from college at that time looking for interesting things to do and freshly inspired by my recent studies of political activist Eugene Debs when my mother pointed out the newspaper article that announced the court's final decision in the challenge to the People's Party's ballot status. I contacted this newly created party and was instantly catapulted into the chairmanship. It seems I was the only active member. On me fell the responsibility to locate members, candidates, and funds. It turned out to be a golden opportunity to find out firsthand the power of the Two-Party Myth.

I started by searching for candidates and party members among my friends in the anti-war movement. I soon found out, however, that many people who are active in political protest view electoral politics as boring and ineffective. It is not that they have no interest in political issues, but rather that they feel elections give them no real power. You cannot change the system from inside, they said. You have to change it from the outside—with protest, demonstrations, direct action, or even revolution. That was the path to take. Running for office and voting were perceived as a waste of time. I was starting to get discouraged until Mary Neilson threw her hat into the ring as a candidate for the Hawaii State House of Representatives. She had worked actively, as had I, with Catholic Action of Hawaii and the American Friends Service Committee (AFSC). Two other members of AFSC, Charles Bollingmo Smith and Dexter Cate, helped run the party. The three of us rotated in office as Treasurer and Co-chairpeople.

As summer progressed three more candidates seemed to appear from nowhere. Floyd Natchway, a back-to-nature hippy drummer who suspended cymbals from the branches of a banyan tree for one memorable concert, filed nomination papers for the United States Senate. He wanted to change the

Hawaii State flag to be a rainbow on a white background. It was not a very ambitious or practical platform to my mind. So it was with some relief that I picked up a call from the Lt. Governor's office and then talked with a man on the island of Kauai who also wanted to be our candidate for U.S. Senate. I okayed his party membership thus clearing the way for his candidacy. Although James Kimmel was arrested years later for growing large quantities of marijuana as part of his own Eastern-style religion, at that time he was simply an unknown political entity. A fourth candidate filed nomination papers to run for Mayor of Maui County.

Once we had a handful of candidates our most important task became that of publicizing the *existence* of our party and trying to get people to register so they could pick up our ballot in the October Primary Election. In Hawaii a voter's party affiliation was whatever party's primary election they had last voted in. Thus all veteran voters were either Republicans or Democrats. In order to change their party affiliation and be able to vote in the People's Party primary election, they would need to file a form. New voters were still unaffiliated and could pick up any party's ballot at the polls. Attracting voters to a political party that was as weak as ours proved to be extremely difficult. The Democratic Party was so much stronger than even the Republican Party that the *real competition* for most elective offices took place in the Democratic primary elections, not the general elections. Many Republican primary elections went uncontested. On occasion a Democratic candidate would avoid the stiff competition of the Democratic primary election by switching parties and becoming the Republican candidate.

Voters naturally wanted to vote in a primary election that would "make a difference". We were therefore fortunate to have two candidates running against each other in the state-wide election for U.S. Senate. This gave our few voters, regardless of the district they were in, a chance to do more than simply rubber stamp our tiny slate of candidates. They could actually vote *against* someone. This *sense of conflict* is important to the election process, giving it meaning. Our race, however, was not exactly a hotly contested one. Watergate was very much in the news as the investigation closed in on the excesses of Nixon's 1972 campaign. Vice President Spiro Agnew furthermore had already left office in disgrace for accepting bribes when he

was governor of Maryland. Nixon soon followed. The cumulative effect was to give politics such a dirty reputation that Kimmel decided to quit politics. He tried to pull out of the election, only to find out that he could not. Then, in a strange twist of fate and to his own surprise, he beat Natchway in the primary. Reluctant at first to accept the nomination, he was eventually persuaded by Dexter Cate to make a compromise. He *would not* campaign, but *would* if elected accept his seat in the United States Senate. Since there was no Republican candidate, in the general election he went head-to-head against the popular Democratic incumbent Senator Daniel Inouye.

On the day of the General Elections the People's Party was very fortunate. Our reluctant candidate, the mysterious James Kimmel, received 42,000 votes, roughly 20 percent of the total. Since he had not campaigned nobody knew what he stood for, only that he was running *against* Inouye. Many of his votes may even have come from staunch Republicans who thought that the P (for People's Party) after his name was or should have been an R (for Republican Party). Ironically, the wall of silence surrounding the People's Party in general and Kimmel in particular may have contributed to this favorable tally. This bit of luck assured our party of a place in the next elections and encouraged the creation of other third parties. By 1976 two more "third parties" filed petitions and were granted ballot status. The addition of the Libertarians and the Independents for Godly Government gave Hawaii five political parties.

With the Vietnam War over, ecological issues and groups such as Green Peace and Life of the Land became the voices for change. They provided some serious political contenders for the People Party's slate of candidates. Dexter Cate, now heavily involved in founding and organizing the Green Peace organization in Hawaii decided that a run for the U. S. House of Representatives might help him promote his political and ecological ideas, while well-known activist Tony Hodges signed on as our candidate for the U.S. Senate. They took advantage of the various public-speaking opportunities afforded to all candidates for elective office. Charles B. Smith worked on a slide show presentation.

Becoming a candidate was relatively easy. It took the signatures of twenty-

five voters plus a filing fee of a hundred dollars or less according to the office sought. That got a candidate's name on the ballot, but getting name recognition among the voters required a major ad campaign, newspaper and television advertisements that could run into thousands of dollars for minor offices and millions for the big races. Donations came from individual supporters, companies, and other groups. Here again third parties are at a distinct disadvantage. In Hawaii, two large corporations, American Factors and Dillingham Corporation generously donated \$15,000 each to the two major political parties. Honolulu's newspapers reported these as "non-partisan contributions to both parties"—both parties—as if there were only two. The other three parties were completely ignored by business and the mass media. In response, Dexter Cate led a delegation of us to pay a visit to the two companies, point out that Hawaii had five legally recognized political parties, and ask for an equal contribution to the People's Party. Company president Lowell Dillingham himself personally met with the group, but declined to make any contribution whatsoever, saying that he supported the "two-party system", which, as explained above, does not exist. Some executives from American Factors also met with us, promised they would consider making some kind of contribution in the interest of equality and fair play, but never followed through with any concrete support. Our only consolation was a newspaper article about the event (Burris, 1976) with a photo of Dexter holding a large bag with a dollar sign on it, symbolizing the contributions our party never got.

Conclusions

I whole-heartedly agree with President Clinton's expressed sentiments that the world should share responsibilities and benefits. This is the fundamental value embodied in the ideal of democracy. Unfortunately, as illustrated above, the power of the two-party myth corrupts this ideal in a way that perpetuates the two big parties, stifles the smaller parties along with whatever political change they are trying to achieve, and fosters voter apathy, especially among the young. These third parties and their candidates then retain only the power of the "spoiler" to tip the balance of a close election—

ironically in favor of those candidates whose policies they oppose most strongly. In a future paper I intend to suggest a simple and easy solution to (a) make every person's vote count, (b) replace the spoiler effect with a more equitable distribution of political power, and (c) thereby help alleviate political apathy among young people.

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