American party politics: two's company, three's a crowd?

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Abstract

As of late, the American political climate has been nothing less than chaotic. The last two presidential elections have highlighted that there is no graceful defeat, little middle ground, and even less collaboration between the two rivaling parties. The winner-take-all voting system has been twisted by gerrymandering and political campaigns are heavily focused around small groups of voters within swing states, devaluating the importance and effect of the votes of many Americans. The two-party system has contributed to many of the issues surrounding America's election system and checks and balances, resulting in a lack of political legitimacy and a distrustful American public. Therefore, I propose an American three-party system, with the Libertarian Party as case study, in order to raise America's political legitimacy and regain the trust of American voters.

By analyzing the history of America's political parties, I will highlight how the two major parties gained and remained in their position of power and how this status quo can feasibly be changed. I will also dive into some issues surrounding the trust of voters and their democratic freedom to choose political representatives, linking this to the rivalry of the two-party system. To tackle these issues, a third party, such as the Libertarian Party, is needed to deescalate the political tension that the Democratic and Republican Party have created, since this will weaken undemocratic practices, such as gerrymandering, while promoting political debate and fair elections.

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Preface

I have only been to America a couple of times.

It's strange to be so familiar with a place that is on the opposite side of a vast ocean. Nevertheless, when I read the news, I'm always more interested in the developments over there than the developments in my area. And when I feel the need to emotionally express myself, I often switch to the American language. I'm proud to be a Dutch citizen but I'm also thankful for the strong ties we Europeans have with America. During my studies, three different presidents have occupied the White House, all with different agendas. However, the last few years have been filled with political chaos. Contested elections, impeachment procedures, and a climax of public distrust in the government's legitimacy has chipped away at America's democratic ideals. It's due to this discourse that I decided to dedicate this paper and my research to finding a probable improvement to the American political system. What I propose is what I am to the American political debate;

an unheard voice,

a mediator,

a third party.

Acknowledgement

For Laura and Peter,

The moon is beautiful, isn't it?

Introduction

When Donald Trump won the 2016 presidential election, Democrats were shocked. Most of the major media outlets had expected Hillary Clinton to become the next president and ninety-four percent of the Democratic voters were of the opinion that Trump was not "fit to serve as president" (Bowden). This opposition took shape in major protests and accusations; surrounding Trump's taxes, his personal profits, and the role he and his campaign staff played in Russia's election interference. During this time, as well as during Trump's second impeachment in 2021, I discussed the impeachment procedure with my academic peers, many of whom were left-leaning and had supported Clinton and Biden. However, while most were in favor of impeachment, few believed that this was possible. The idea of "fake news" that was popularized during Trump's presidency, combined with an incredibly low trust rate in the federal government, made it highly unlikely that the Republican leadership and voters would criticize, let alone impeach Trump. I agreed. The last few tumultuous political years have highlighted that the public's trust in the government and the President was declining further. During the 2020 presidential election, only twenty percent of Americans trusted the federal government and a majority of voters in six swing states considered Trump and Biden to be mentally unfit for office ("Americans' Views of Government"; Pramuk). In the last few years, the political divisiveness that has flourished under the bitter political rivalry of the Democratic and Republican Party has reached a climax. Both election results have been discredited by the losing party and counter measures have been proposed and taken to undo the corruption of the other party, such as impeachments, law suits, and congressional hearings. The last two presidential elections have highlighted that there is no graceful defeat, little middle ground, and even less collaboration between the two rivaling parties. In my opinion, the weakened state of America's political legitimacy is partly due to the two-party system, which has sustained the political divisiveness that is largely responsible for these feelings of distrust. Furthermore, due to "affective polarization" and internal divisions within the major parties, moderate voters are losing interest in their party, increasing the chances of third-party success, as well as the likelihood of an electoral realignment (Groenendyk 1620).

Therefore, I propose an American three-party system, with the Libertarian Party as a case study, in order to raise America's political legitimacy and regain the trust of American voters.

The academic and political debate of America's party system dates back to the founding fathers, who were fearful of political parties, believing that these political factions would destroy the democratic system they had in mind (Pruitt). Their skepticism was mainly fueled by the British civil wars in the 17th century, which highlighted the corrupt nature of political factions and showed that they were not in line with their democratic ideals for government. However, within a century, the two-party system had cemented itself and the Civil War that the founders were trying to avoid was taking place. Yet another century later, both parties seemed to be were working together to a great extent during the liberal consensus, since the spread of American values and the battle against Cold War Communism drew both parties closer. While both parties worked together rather harmoniously during this era, the wave of female and African American voters that were now able to vote raised questions surrounding party politics and the supposedly democratic system that had ignored them for so long. The academic debate surrounding the role of third parties in American politics has also received more attention. In 1983, Theodore J. Lowi criticized an old report from a committee within the American Political Science Association, since it acknowledged that there were issues with the American party system but refused to support reforms to the two-party system (699). Lowi then discredited prevalent myths about the two-party system and offered some insight into the potential of a three-party system. His criticism and proposal did not go unnoticed. A decade later, Christian Collet argued that political observers looking for a third major party - like Lowi - might find this in Ross Perot, who's 1992 election result highlighted the potential for a new major party, which was something that sixty-two percent of the American voters wanted, according to public opinion data (431-432). Still, the current American party system is not receptive for third parties, while the issues surrounding political legitimacy and democracy have only gotten worse. To highlight what issues are inherent to a two-party system and which are more malleable, I compare America's two-party system to the UK's "two-and-a-half-party system", which has been categorized by academic Alan Siaroff in a detailed publication of different party systems (271-272). By reflecting on the two-party systems of other nations, it is possible to delineate practical solutions that could

increase third-party success and improve the democratic election process. I also build on the works of academic authors such as Lee Drutman and Jack Santucci, who have published books and articles on the idea of an American multiparty system (Drutman; Santucci). In a recent podcast from the Niskanen Center, host Matt Grossmann talks to Drutman and Santucci, who underscore the lack of cooperation and public trust, both arguing for electoral reforms that would highlight third-party potential and create fairer elections (Grossmann). I hope that this paper is able to build on the ideas and arguments that these authors and academics have put forth.

In order to establish how America's political party system was born and how it evolved, the first chapter will deal with the role of the founding fathers and the constitution, the history of the Democratic and Republican Party, and a look into other substantial political parties. For this I will use the historical expertise in William Crotty and Richard Katz's "Handbook of Party Politics" and "The Oxford guide to the United States government" from John Patrick, as well as articles on the electoral system by Thomas Neale and historical documents such as the United States Constitution (Crotty; National Constitution Center; Neale; Patrick). The second chapter will look at the American political system and the twoparty system, exploring the election system and checks and balances, as well as going into the benefits and issues of the two-party system by comparing it to two-party systems of other democratic nations. In order to do so, I will use the party system delineations in Siaroff's article and reflect on the evolution of the UK's party system as described by Philip Lynch and Robert Garner (Lynch; Siaroff). The final chapter will deal with the academic framework of a three-party system, taking a closer look at the academic debate and the Libertarian Party, highlighting political improvements, as well as the obstacles. Santucci and Drutman's publications have proposed local and federal reforms that could increase third-party success, which I will use in combination with the two-and-a-half-party system framework from Siaroff, ultimately proposing a conceptualization of a future Libertarian third party (Drutman; Grossmann; Santucci; Siaroff). By the end of this paper, I hope to have contributed to answering this paper's central question; how might a three-party system influence democratic representation in American politics?

Chapter 1: A history of American political parties

Introduction

In this first chapter, I will explore the position and evolution of political parties within the democratic system. In doing so, I hope to highlight how malleable the power structure of the national government is, creating a framework that will be essential for analyzing the possibilities and limitations of a third-party system in America, which will be the main focus of chapter three. In order to understand how modern-day political parties function, I will thoroughly explore the sources of power and restrictions that have become applicable over time. I will start with the founding of America, exploring the vision of the framers and the limited delineation of the original constitution, as well as other legislative documents that outline the structure of parties and their role within the United States government, such as the Twelfth Amendment. From here, I will explore how the two-party system was cemented and to which degree third parties have influenced national policy and power structures. Finally, I'm going to shortly discuss the history of the Democratic and Republican Party, focusing on their founding, evolving ideals, and voter base, to determine how they have been able to gain and retain such a dominant role in American politics.

The founding of America

Before America was founded, the colonies were already partly in charge of governing the existing regions. According to a study by Jackson Turner Main, two legislative parties already existed within each colony before the constitution was written, which were different in name but similarly organized (365). Both parties within these colonies had very similar agendas to counterparts in other states, which indicates that this structure was merely a copy of the British political system at the time. Nonetheless, this structure was widely used on the local and state level when the constitution was drafted. Matthew Glassman argued that the

constitution reflected the preferences of the delegates that were present, which were influenced by the political philosophy of colonial America, as well as their political experience as English colonists (2-3). The political philosophy of the framers was largely based around the democratic ideals of European philosophers at the time, which theorized about checks and balances, trias politica, and the separation of powers. However, due to the fast transition from colonists to new Americans, it was hard to implement these ideals in a practical manner to America's political system (Glassman 3). Therefore, the framers were indecisive in how to structure the federal government and its powers, which is especially true for the executive power, as can be derived from the failed Articles of Confederation. Even so, when the founding fathers constructed the constitution and implemented the political knowledge they had taken from the British political system, they were torn about the practice of political parties and factions. Since there were almost no alternatives for a democratic republic to function without tyranny, the founding fathers had to resort to parties as a means to represent the public and keep the executive and legislative branch in check. We have already stated that this outcome was not envisioned by the framers. In this spirit, William Crotty argued that 'Political parties evolved in America quite simply because the new nation could not function without them" and Sarah Pruitt stated that "The Constitution's framers viewed political parties as a necessary evil" (Crotty 25; Pruitt). However, while political parties were being used before and after the constitution was drafted, the constitution entirely omitted the role of political parties (National Constitution Center). This was most likely done so that the founding fathers could implement a better alternative later, choosing not to cement a party system that they were generally skeptical of. As we know now, this of course never happened. While congress was bound to be influenced by party politics, as delegates with similar agendas were more successful in pushing their legislation as a united front, the president could act as an individual force. On paper, presidential elections and presidential rule would therefore focus more on the capabilities and competency of the individual and less about the party backing them. Nevertheless, with the nationalization of political parties in the 1800's, voters began to expect that presidential candidates shared certain beliefs because they were supported by a certain party. This has taken away from the individuality of the

executive branch, since candidates had to conform to certain beliefs of a major party for their support, which has become essential for winning presidential elections.

In the end, the two-party system took shape rather quickly. Hamilton's Federalist Party and Jefferson's Democratic-Republican Party are already an example of two competing visions that weakened political cooperation, since Federalist John Adams limited free speech when he became president by making it a crime to criticize the president and his administration, while Jefferson dismantled the Federalist Party in return by firing half of all federal employees when he became president (Pruitt). While it would take another half a century before the Democratic and Republican Party were established, political friction and disunion between parties was already resulting in political stagnation during the presidency of George Washington. However, the founding fathers, while omitting political parties from the constitution, had implemented rules for presidential elections that were supposed to encourage public debate and go against party-line voting. In article two, section one of the constitution, the framers developed the electoral college system for presidential elections, which has three rules that indicate cooperation and nonpartisan voting (National Constitution Center 5). Firstly, the electors had to vote for two people, at least one being from a different state, highlighting the framers' fear of regional insularity. Due to this rule, electors could not simply push for candidates that represented their state's interests or rely on favoritism, having to look for national candidates that they deemed fit for office. Secondly, if none of the candidates managed to get votes from a majority of the electors, then the house of representatives will cast a ballot for president, choosing between the five candidates that hold the most votes. The number of votes necessary is thus equal to twenty-five percent of the total votes, since a candidate needs a vote from at least half of the electors for a majority and each elector has two votes. This rule implies that the framers expected that there might be presidential elections with five or more contenders, designing a procedure that opens up the option of having a multiparty democracy or even a non-partisan democracy. Lastly, the procedure of appointing the vice-president is mentioned, who is not directly elected but will be the candidate with the second most votes. This framework was clearly chosen to further cooperation between rivaling candidates and parties. Since the vice-president would be the runner-up, they would not be likely to support all the viewpoints of the new president,

therefore keeping them in check and encouraging political debate and cooperation between the two candidates that the public deemed most fit for office. While the ideals and intentions of these procedures are clear on paper; in reality, this had very different consequences and the procedures were changed shortly after with the implementation of the Twelfth Amendment.

The beforementioned viewpoints on these procedures are supported by a report from the Congressional Research Service, who have argued that the "different state" requirement was used to prevent a "provincial insularity", while the electoral majority and House election procedure were used to ensure "broad support" and regulate a potential "electoral college deadlock" (Neale, "How it works" 4). The report also argues that the concept of a runner-up vice-presidency can be contributed to the framers' intention "to bring the two best qualified candidates to office", which proved unsuccessful because of the unexpected and rapid rise of political factions, who started offering joint tickets for president and vice-president (Neale, "How it works" 5). This workaround was more beneficial to the major parties, since this offered a way to guarantee that the party's electors would use both votes for the candidates the party's leadership had put forth, except for one elector, who would hold his vote for the vice-presidential nominee, ensuring that the president and vice-president would come from the same party and that the votes would not be tied (Neale, "How it works" 5). This workaround showcases how quickly party politics took off and how determined parties were to not get a president and vice-president from different parties, defeating the ideal the framers had with the implementation of this part of the election process. However, when a Democratic-Republican elector forgot to withhold his second vote during the presidential election of 1800, Thomas Jefferson and Aaron Burr were tied in votes and a House election was necessary, resulting in the "constitutional crisis" from which the Twelfth Amendment was created (Neale, "How it works" 5). The Twelfth Amendment can be seen as the final nail in the coffin for a non-partisan democracy, as it played right into the hands of the two major parties. Under the Twelfth Amendment, one electoral vote would be used to determine the next president, while the other would determine the vice-president, both needing an electoral majority to win (National Constitution Center 12). This procedure is closely related to the joint ticket system that the major parties were using - and are still using today - since this ensured that these tickets would not result in a tie and that one of the two rivaling parties

would present the next president and vice-president. While the amendment still offered a "contingent election" in the House as the default procedure when no presidential candidate receives an electoral majority, this was now reduced to the three candidates with the highest number of votes, instead of five (Neale, "How it works" 15). Where the framers had left open the option of a non-partisan or multiparty democracy, the Twelfth Amendment foreshadowed that the two-party system would become the status quo. Nonetheless, the possibility for a three-party system remains, although this would mean that a significant number of elections would need to be decided by the House, which is one of the obstacles that we will discuss in the final chapter.

Democratic and Republican predecessors and third parties

We have already seen that despite the founding fathers' skepticism, political parties were formed almost instinctively. Crotty has attributed this need for parties to the fact that they fulfil functions that no other organization can, such as; representing the interest of voters, mobilizing voter support, presenting alternative solutions to issues, recruiting and supporting candidates, and providing unity and cohesion (25). He also argues that the first parties, the Democratic-Republican or Jeffersonian Party and the Federalist Party, were only seen as temporary political vehicles that could be used to persuade opponents of their central argument, which was whether American power should be centralized in the federal government or should remain in the individual states (27-28). While the Federalists won the first election, the success of the Jeffersonians following the presidential election of 1800 caused the Federalist Party to dissipate within a couple of decades. An era of one-partyism followed, in which the Jeffersonians severely limited federal power, believing that the defeat of the Federalists was not a party victory but rather an ideological victory that established the state-oriented nature of the nation (Crotty 28). Nevertheless, after the presidential election of 1824, the party was split up into two, creating a two-party system again. On the one hand was John Quincy Adams, who had won the 1824 election as a result of a House vote and would establish the National Republican Party, on the other was his opponent, Andrew Jackson, who established the Democratic Party as a result of his contentious defeat. After a rematch

during the 1828 election, Andrew Jackson had secured the presidency, affirming that the Democratic Party was a major party, which could not be said about the National Republican Party. After Jackon won the 1832 election as well, the National Republican Party, along with other opponents of Jackson, merged into the Whig Party. By this time, the two-party system had almost completely cemented itself in the American political structure. The Whigs and Democrats would go head-to-head during elections for the next two decades, until another major party - namely the Republican Party - was founded in 1854 from the Whigs, various Northern Democrats, Free Soilers, and "Know Nothings". However, the two-party system before the American Civil War was not as rigid as it would become under the rule of the Democratic and Republican Party. These preceding parties were mostly short-lived and constantly changing in their voter base, which did not result in consistent election results, whether it be on state or federal level. With new states still joining the Union and state demographics undergoing rapid change, voters were less likely to get attached to the major parties. Even the Civil War should not be seen as merely political party divisiveness, since it revolved around the issue of slavery, which was more of a regional issue between the rural South and the industrializing North, similar to how the ideological conflict surrounding Federalism and Anti-Federalism did not stem from party rivalry. Furthermore, because of these political realignments, newly founded parties did not immediately obtain a solidified voter base, which gave third parties room to exist in unison and influence state and federal politics.

The first American third party was the Anti-Masonic Party, who were founded as a single-issue party but managed to get some electoral votes with their candidate for the presidential election of 1832, William Wirt, even though they were assimilated into the Whig Party shortly after (Hicks 7). There were two other third parties before the American Civil War that managed to get a significant number of votes during a presidential election, the Free Soil Party in 1848 and the "Know Nothings" or American Party in 1856 (Hicks 9-12). The Free Soil Party was an anti-slavery party that sought to oppose the westward expansion of slavery, managing to get a significant number of votes by using ex-president and co-founder of the Democratic Party, Martin van Buren, as presidential candidate. However, with the Compromise of 1850, the party lost traction and later merged into the Republican Party

(Hicks 10). On the other hand, the American Party was neutral on the issue of slavery, sitting between the pro-slavery Democrats and anti-slavery Republicans. Instead, they became one of the first parties that stressed the issue of immigration. As Protestants, they strongly opposed the influx of Irish Catholics but revealed very little about their plans to outsiders, telling them they "know nothing" (Hicks 11). They managed to get 875,000 votes during the 1856 election, also using an ex-president, Millard Fillmore, as their presidential candidate, after which they dissolved into the Constitutional Union Party (Hicks 12). This party, along with Southern Democrats, managed to get a substantial number of votes during the 1860 election, running on a pro and anti-succession platform. After the Civil War, it became clear that political parties and the two-party system could no longer be seen as a temporary political solution for democratic representation. In response to the lack of regulations in the constitution and in federal law, as well as the recent trauma of the Civil War, states started to implement drastic regulations on parties in the 1880s up till the early 20th century (Crotty 456). The states were in their right to implement rules such as the secret or "Australian" ballot, since they had immense freedom to structure the electoral election process and protect the rights of voters, as stated by the constitution. While these regulations were not favorable for the political parties, by legislating parties they were inadvertently getting engrained within the American democratic system. In return, the Democratic and Republican Party expanded and solidified their party's presence as well. At the start of the 20th century, both parties implemented a party "whip", who was responsible for maintaining party unity and had previously been used by the British House of Commons (Schneider 2). With the two-party system now completely embedded into American politics, let us take a look at how third parties and their candidates have sought to break up this status quo in the 20th century.

One party that almost succeeded in this regard was the Progressive Party, or rather the Progressive movement. During the 1912 election, ex-president Theodore Roosevelt was selected as the presidential candidate of the Progressive party, after he had lost the Republican nomination to William Taft (Hicks 21-22). The immense popularity of Roosevelt, who had already served for two terms by then, as well as the public support for populist and progressive ideals, resulted in a unique moment in American politics. Roosevelt beat Republican Taft in the popular and electoral vote, becoming the only third-party presidential

candidate that outperformed one of the major political parties. According to John Hicks, even the victory of Democratic candidate Woodrow Wilson in that election was a victory for the Progressive movement, since Wilson offered the progressive leadership that Taft was lacking (Hicks 22). While Roosevelt's Progressive or "Bull Moose" party declined after Wilson and the Democratic Party adopted some of their progressive doctrines to persuade progressive voters, the Progressive Party had a comeback during the 1924 election with Robert La Follete (Hicks 24-25). Follete was already supposed to be the face of the progressive cause in the 1912 election but was trumped by the popularity and experience of Roosevelt. While Follete was not able to equal Roosevelt's showing in 1912, he did manage to get around five million votes and carried his home state Wisconsin, which is still remarkable for a third party (Hicks 25). Another third-party movement that was successful in the 20th century was the segregationist movement, which received significant support in the Southern states. While this ideology should not be seen as an example of how a third-party should look like, it does highlight how radical or ignored voters can influence elections. The success and platform of this movement is similar to that of the Southern Democrats that argued in favor of slavery and Southern secession during the 1860 election. Both movements consisted of Southern democrats that left the mainstream Democratic Party because they were in favor of keeping or expanding the racial divisions that disenfranchised African Americans. In the 1948 election, it was the States' Rights Democratic Party or the "Dixiecrats" that managed to win over multiple Southern states with Strom Thurmond, while in the 1968 election, it was the American Independent Party that carried some Southern states with George Wallace (Patrick 634-635). Still, most of the parties that have been mentioned were never in a position that would allow them to establish a major third party. The short-lived success of these parties was mainly due to divisions within a major party, as was the case with Roosevelt's presidential campaign, and because they focused on a single and often controversial issue, such as slavery and racial segregation. Even if one of these parties was able to win a presidency, they would have significant trouble establishing a solid voter base, since they often took away votes from just one major party, which would result in domination by the other major party or in a political merger. However, this is not true for John Anderson and

Ross Perot, who both ran for office as independent candidates, which I will further comment on in chapter three.

The evolution of the Democratic and Republican Party

While there is often discussion about which is the older party, the Democratic or the Republican Party, since both parties can trace their ideological roots to the first parties that were founded, the Democratic Party has been around a few decades more than its counterpart. Its founding in 1828 by Andrew Jackson and Martin van Buren was an immediate success, resulting in three consecutive victories for Jackson and van Buren's presidential bids. While the National Republican Party and the Democratic Party both split from the Democratic-Republican Party in the 1820s, the Democratic Party was more closely related to the ideals of the Democratic-Republican Party, since they opposed a national bank and favored state's rights over federal laws. On the other hand, The National Republican Party, as well as the Whig Party which it merged into, were generally backed by politicians and voters from the former Federalist Party (Crotty 31). In the first few decades after the founding of the Democratic Party, history seemed to be repeating itself. The anti-federal ideals of the Jacksonian Democrats dominated national politics, as had been the case under the Democratic-Republican Party, while their more pro-federal opponents had trouble staying united due to internal political divisions. However, with new states entering the Union and the enfranchisement of many working-class voters during this time, due to the removal of property qualifications in most states, meant that parties had to organize and appeal to a larger and more diverse electorate (Engerman 8-9). Nonetheless, the popularity of the Democratic Party allowed them to win almost all presidential elections up until the dissolvement of the Whig Party in 1856, losing only a total of two elections (Patrick 744-745). However, the issue surrounding the western expansion of slavery and the Kansas-Nebraska Act would eventually split the Democratic Party, with Southern Democrats arguing for an immediate establishment of slavery in new territories, while Northern Democrats believed that this should be decided by the new regions themselves via "popular sovereignty" (Patrick 195-196). Due to this split, the Democratic party was unable to unify over their

presidential candidate for the 1860 election, putting forth one candidate that was supported by the South and one by the North, which resulted in a victory for Abraham Lincoln, who became the first Republican president (Patrick 745). The Republican Party itself had already been in existence for a couple of years, establishing themselves as the anti-expansion-ofslavery party by opposing the Kansas-Nebraska Act, which permitted slavery in these new regions via popular sovereignty (Patrick 195-196). The Republican Party was founded as an attempt to unify the anti-slavery movement, appealing to members of the Whig Party, the Free Soil Party, the American Party, and Northern Democrats. While the initial goal of the party was to stop the westward expansion of slavery, this evolved into a desire for the abolishment of slavery during the American Civil War (Patrick 377-378). While this desire was not only due to the party's ideological beliefs, since the promise of freedom in Lincoln's Emancipation Proclamation was also a smart strategy to gain the support of Southern African Americans, it did end the era of slavery with the ratification of the Thirteenth Amendment in 1865. After the Civil War, the Republican Party would dominate national politics with economic reform for the remainder of the 19th century, which solidified their voter base in the industrializing North, while the Democratic Party became the party of white Southern segregationists during Reconstruction (Patrick 336-337, 519-520).

Going into the 20th century, the Republican Party remained dominant in the North and in national politics, relying on the successful economic programs that cemented their popularity in the business industry and upper-class. While the Democrats were able to break the Republican winning streak with their presidential candidate, Woodrow Wilson, in the 1912 and 1916 election, this was mainly possible due to a temporary fracture within the Republican Party, which was caused by Roosevelt's progressive Bull Moose Party (Patrick 555, 746). The Republicans would retake control of the presidency in the 1920s, building on the nations booming prosperity and their popularity within the business industry. However, this also meant that they received most of the blame for the stock market crash of 1929, which resulted in a major victory for the Democrats during the 1932 election (Patrick 746). The Great Depression highlighted the need for social programs that could offer federal relief during economic recessions, which resulted in a massive victory for Democrat Franklin D. Roosevelt and the promise of his New Deal Program. According to Crotty, "The New Deal

party system was built on a class division, the less well-off voting Democrat, the better-off economically voting Republican" (31). Roosevelt's success would allow the Democratic Party to become the dominant party for two full decades, with Roosevelt leading the nation as president for more than three terms (Patrick 746). While this was a unique feature, given that no other president had served for more than two terms, it also highlighted the need for the term limits that were established in the 22nd Amendment, shortly after Roosevelt's passing (Patrick 739-740). Roosevelt's New Deal and the urbanization of America were a major starting point for the political realignment that would switch the voter bases of the major parties almost completely (Kuiper 17). The Democratic Party of the early 20th century was generally against the expansion of federal power; nonetheless, the success of Roosevelt's New Deal highlighted Democratic support for big government (Patrick 550-553). Due to this change, the Democratic Party gained the support of the expanding working class in Northern states that had previously been mostly Republican, while Southern Democrats started to transition over to the Republican Party to stop further government expansion (Patrick 551-552). Furthermore, the Democratic Party, who had opposed the abolition of slavery and was responsible for the implementation of Jim Crow Laws and racial segregation, was becoming more supportive of civil rights in the Progressive and New Deal era. However, after Democratic President Harry Truman presented a pro-civil rights agenda to the Democratic caucus in 1948, Southern Democrats temporarily left the party and joined the States' Rights Democratic Party, which focused on retaining racial segregation (Kuiper 22; Patrick 634, 746). Even though Republican President Dwight Eisenhower was still responsible for significant civil rights legislation in the 1950s, the implementation of the Civil Rights Act of 1964 and Voting Rights Act of 1965 by Democratic President Lyndon B. Johnson was the catalyst for the modern Democratic Party (Kuiper 17; Patrick 338-339). Southern Democrats would try one last time to keep the racial segregation system alive during the 1968 election, backing the American Independent Party of George Wallace, before slowly shifting over to the Republican Party (Patrick 635, 746).

While the Republican Party was losing many African American voters and Northern voters from the working class to the Democratic Party, they were able to capitalize on the declining support for the Democratic Party in the South in a number of ways, such as using a

"Southern strategy" that appealed to the anti-civil rights sentiment of Southern white voters (Kuiper 37-38). The Republicans were also able to attract more conservative Christian voters to their party by appealing to the moral values that were being criticized by the Democrats, since they were no longer in line with the Democratic Party's position on social and cultural issues, such as abortion (Kuiper 49). While the Republican Party would remain the dominant party in the 1980s, the 1992 election of Bill Clinton highlighted how the voter base of the two parties had shifted. Western states like California, which had primarily voted for the Republican Party in the past, now supported the Democratic Party and would do so for every election after that, arguably becoming the state with the strongest support for the Democratic Party. At the same time, many Southern states, especially in the deep south, were now supporting the Republican Party. The party realignment was now finalized and the electoral map seemed to have reached an equilibrium, with thirty-eight states voting for the same party during presidential elections from 2000 to 2016 (Rotondi). While a stable electoral college could be an indicator of a peaceful or cooperative political climate, this could not be further from the truth. The next chapter will explore the modern-day political climate, showcasing what issues and solutions have come out of the two-party system.

Conclusion

While the Constitution did not mention political parties, a political party system, which was dominated by two major parties, was formed shortly after America was founded, to the utter disappointment of the framers. Initial attempts to offer an alternative for political factions were unsuccessful and the two-party system had become engrained in American society by the end of the American Civil War, with the Democratic and Republican Party dominating national politics. Third parties have seen some success during America's history, influencing regional and federal politics to a certain degree, with an occasional third-party presidential candidate that managed to compete with the two major parties. However, third party success was often caused by a division within one of the major parties and has never let to the election of a third-party president.

While the Democratic Party started out as a pro-slavery and anti-federalist party that was mostly dominant in the rural South, they slowly transitioned into a party whose platform was largely based around minority voters, such as African Americans, with a strong and diverse presence in big urban cities. This change was mostly due to the social reform programs of Woodrow Wilson and Franklin D. Roosevelt, who pushed away Southern voters by expanding federal power with economic interventionism, which allowed the party to slowly shift away from the pro-segregation Southern Democrats and win over the votes of African Americans and other minorities by supporting the civil rights movement. On the other hand, the Republican Party was founded as an anti-slavery party that supported economic reform and civil liberties, which made them the dominant party in the industrializing North, and ended up becoming the party of rural Southern Christians and other conservative voters, due to their focus on traditional social and cultural values.

Chapter 2: Strengths and flaws of the two-party system

Introduction

In this second chapter, I'm going to analyze how the two-party system is engrained in America's political structure and what benefits and issues have come out of this system. To do this, I will first look at America's election system and the legislative process, since these aspects decide how American politicians are put into positions of power and how effectively they implement policies that are beneficial to the nation. Since I propose a three-party system, it is essential that we determine how such a political system might shape itself. Therefore, I will compare the American two-party system to the United Kingdom's 'two-and-a-half-party system', as they share many political characteristics and since this system closely resembles a three-party system. Finally, the issues that are present in American politics due to the two-party system will be discussed, highlighting how the political rivalry has led to distrust and dissatisfaction among voters, who are often unable to vote conscientiously or who live in states with almost predetermined outcomes, leading to a lack of political legitimacy.

America's political structure

We have seen that political parties have immense power in America's political system and have become the main platform for politicians running for an elected seat in government; however, these candidates have become more influential over the last century. Ideally, this would lead to cohesion and unity, since large parties are better equipped in finding and supporting competent politicians, delivering political candidates that are most equipped in leading the nation forward (Crotty 25). However, political parties also draw attention away from individual candidates and their personal ideology, since candidates are generally enticed

to conform to the central ideals of the party in order to gain their support. Nevertheless, there have been candidates that successfully ran on platforms that were not fully in agreement with the vision of the party leadership. Donald Trump is arguably a recent example of this. Therefore, it is important that we establish how the electoral process works, which will highlight how the two-party system has become so influential during presidential elections. We have already discussed the framers' concept regarding the original electoral college, in which each elector would vote for two different candidates and the candidate with the largest electoral majority would become president, while the runner-up would become vicepresident. The overall intention of this system was to counter party and sectional politics, since electors had to vote for two candidates, they were urged to critically look at all the different candidates and select the two most competent ones. Nevertheless, since most states were already dominated by two parties, which were ideologically similar to the two dominating parties in other states, it did not take long before two major political coalitions were formed on a national level in order to gain an absolute majority. After Federalist John Adams became president with Democratic-Republican Thomas Jefferson as vice-president, the two parties started using running mates. The intention of the Founding Fathers was a split presidency that would allow the best minds to work together. Unfortunately, due to these early coalitions and the rivalry between Adams and Jefferson, this kind of cooperation proved to be unlikely. The two parties now put forth two party candidates from different states so party electors could use their second vote on the candidate that was put forth as the vicepresidential candidate, in order to prevent another split presidency. Due to the contingent election in 1800, the original electoral college proved unworkable with the two-party system and the joint ticket system was used as the basis for the Twelfth Amendment. We have already discussed how the political party system was solidified with the ratification of the Twelfth Amendment; however, we will now discuss how this new electoral college changed the election system.

While previous electors had been chosen directly by state legislatures in the majority of the states, the expansion of voting rights allowed voters in almost all states to choose the electors (Neale, "How It Works" 7). This change allowed for a more democratic approach to voter representation. Even so, presidential candidates could still afford to lose the popular

vote if they managed to get the electoral vote. This realization let to a drastic usage of redistricting in the 1812 election, with the Democratic-Republican Party drawing the electoral district boundaries of Massachusetts in a highly unusual manner to benefit the party, which would become known as "Gerrymandering" (Engstrom 21; Little; Patrick 261). While redrawing districts was already done before this election, the contorted shapes that were used in this case were far more extreme and would become even more oddly-shaped with the establishment of the Democratic and Republican Party (Little; Patrick 261, 518). With the expansion of voting rights, states had to come up with a way to determine how their electoral votes would be distributed, since the public now voted for the different electors that had been nominated by the political parties. Almost all states chose for a general ticket system or "winner-take-all" system, which meant that all the electoral votes of a state would go to the candidate that won the popular vote there (Neale, "How It Works" 10-11). This system is highly favorable for the two-party system - as we will see when we discuss Duverger's law in chapter three - and became especially partisan after the Civil War (Rotondi). During this time, the Democratic Party solidified its popularity in the South, while the Republican Party did the same in the North, which meant that elections often got decided over the electoral votes of moderate states, which we would now call "swing states" (Rotondi). However, with new states still joining the republic during the westward expansion, as well as a constantly changing voter demographic due to migration, swing states were harder to determine, especially without the availability of modern technology. The importance of swing states would increase during the 20th century and would become essential to presidential elections after the political realignment of the 1980s, which solidified the voter bases of the modern Democratic and Republican Party. Due to modern technology, parties could more easily determine which states they were likely to win and lose, which encompassed the majority of the states, making it much easier to determine swing states. Therefore, 21st century presidential elections have been centered around a dozen swing states, with candidates spending the majority of their campaign time and budget on these states (Darmofal 1; Rotondi). In spite of their party alignment, electors are not legally bound to their party's candidate and are free to vote for any candidate they please, unless this is specifically outlawed by the state that nominated them, but these "faithless electors" have never

influenced an election (Neale, "How It Works" 8). Lastly, it is important to recognize the role of modern media in presidential elections, since they are essential for publicly organized debates and provide updated information about the candidates, as we will see when we discuss Anderson's and Perot's presidential campaign (Ashlock; Harrison).

Another aspect of American politics that is dominated by the partisan politics of the two-party system is the system of lawmaking, resulting in various issues that threaten the democratic system. Therefore, it is important to mention how federal legislation is produced. The constitution states that "all legislative powers herein granted shall be vested in a Congress of the United States" and that "each House may determine the Rules of its Proceedings" (National Constitution Center 1-2). While states have always had a significant amount of autonomy in legislating state law, federal laws have tackled societal issues that were present throughout the nation. In congress, any member can propose a bill or joint resolution that will be put on the agendas of relevant committees, who will research and amend the bill before sending it back to the house it originated from. They will then debate and vote on the bill, after which passed bills will be sent to the other political chamber for a second debate and vote. If this is successful again, the bill will be sent to the president, who signs it into law (Oleszek 15). Since each house is allowed to make its own rules, the options for restrictions and limitations to the legislative process are unlimited, which has led to some of the peculiar and undemocratic processes that we will discuss in the final subchapter. Furthermore, while the constitution gave congress their legislative powers, it is no longer the only federal power that can change national policies. While the president does not have legislative powers under the constitution, which only states that the president "shall take care that the laws be faithfully executed", he has the power to issue federal directives, or executive orders, if these are delegated or supported by the constitution or by an act of congress (National Constitution Center 6). While these directives are only enforceable in the presidential term they were issued and require a constitutional basis, they are still highly relevant to federal policies. This is due to the fact that, throughout American history, congress has passed many bills and acts that delegate legislative power to the president. This was often done because executive orders were essential during a financial crisis, war, or other national

emergency, since they could be implemented immediately, allowing the president to cut through the red tape. Lastly, the Supreme Court also has a way to influence and, arguably, create federal policies. While the constitution does not give any legislative powers to the judiciary, since this would be a major violation of the separation of powers, the Supreme Court has granted itself the ability to overrule federal and state policies if they violate the constitution, better known as judicial review, in the Supreme Court case of *Marbury v*. *Madison* (Marbury). With this ability, the Supreme Court has had a significant influence on federal and state policies, since the constitution can be interpreted in a number of ways. Furthermore, the Supreme Court case of *Roe v*. *Wade* is arguably an example of judicial lawmaking, since the court's overruling of Texas' ban on abortion imbedded abortion rights into the constitutional right to privacy (Lange; Roe). However, due to the impartial nature of the judiciary and the lifetime appointment of Supreme Court judges, the influence of party politics is severely limited and the Supreme Court is able to function rather autonomously, using 'judicial restraint' and 'judicial activism' on their own accord (Patrick 344-347).

The two-party system vs. the two-and-a-half-party system

In order to compare the American two-party system to the United Kingdom's two-and-a-half-party system, I'm going to look at the democratic representation of voters in the UK government and determine similarities and differences to America's representative democracy. In doing so, I hope to highlight the possibilities for third parties to exist within a first-past-the-post system and debate if developments in UK's political system could also occur in America's political system. To do this, I will use Alan Siaroff's academic article on the concept and role of a "two-and-a-half-party system", as well as Philip Lynch's observations regarding the changes within the UK's party system (Lynch; Siaroff). However, before doing so, I want to address why my research does not explore the possibility of a multiparty system as a potential alternative for America's two-party system. As a Dutch academic and citizen, I'm highly critical of the issues that can present themselves in a multiparty system due to the sheer number of parties that compete in elections. In the last Dutch general election, a total of thirty-seven parties were on the election ballot, with many

more registered parties that did not participate, concluding in a parliament consisting of seventeen different parties (Tweede Kamer). While a multiparty system can offer a wide range of political ideologies, this also creates a number of problems. Firstly, voters are less likely to spent time on acquiring political and party awareness, since it is incredibly hard to understand the ideals and arguments of so many different parties. This makes it almost impossible to vote conscientiously during elections and deters voters from understanding the intricacies of the political climate. Secondly, forming a majority coalition and pushing a policy plan is incredibly difficult and time consuming, resulting in a sluggish legislative process. After the last general election in 2021, it took almost nine months to form a coalition agreement that all the involved parties could agree to, which still needs to go through extensive debates in parliament before any new legislation is produced by this coalition. Lastly, due to the fact that the major parties already encompass most of the political spectrum, multiple parties are founded as single-issue parties, which are not as knowledgeable about political issues outside of their area of interest as other parties and are less able to contribute to the political debate. Outside of my personal experience and viewpoints, a multiparty system is also less compatible with the American political system, in comparison to a three-party system, as we have already established that the Twelfth Amendment's contingent election only includes the three candidates with the most electoral votes, establishing a compatibility with a three-party system but not a multiparty system (National Constitution Center 12). However, for any new political party system to succeed, constitutionally changes are likely to occur, which means that an American multiparty system could prove to be a workable solution. For those that are interested in this line of argumentation, I would highly recommend the academic works of Lee Drutman and Jack Santucci (Drutman; Santucci). They have both written extensively about the possibility of an American multiparty system and I also use their expertise in the next chapter when we discuss the obstacles minor parties face when they compete with the two major parties (Grossmann).

In order to compare the UK's political system to that of America, it is important to acknowledge what these systems have in common and in what ways they can be differentiated. On paper, the UK seems to function similarly to the Dutch system; having a

constitutional monarch, the Queen, who mainly performs ceremonial acts and a prime minister as the head of government, who is in charge or oversees most of the executive and legislative aspects in parliament. On the other hand, America is a republic and the president is the head of government and Commander in Chief, a truly executive function that contrasts with the legislative role that congress has. However, for my research the most important element of government is the democratic representation of voters, which brings our focus towards the political party system and the election procedure. Firstly, both America and the UK can trace their political duopoly to the late 17th century, with the Democratic-Republican and Federalist party taking charge in the newly founded America and the emergence of the Whigs and Tories in the UK (Oaten; Pruitt). While the modern American party system is still very much a two-party system, it is much harder to categorize the recent evolution of UK's party system. For example, the articles by Lynch and Dr Alex Oaten argue that the two-party system is losing its foothold but is still dominant; on the other hand, while Lynch and Crotty are quick to eliminate the idea of categorizing the UK party system as a multiparty system, even though a dozen parties have seats in parliament, Crotty does question whether the Liberal Democrats' vote share makes for a three-party system, rather than a two-party system (Crotty 53-54; Lynch 536-537, 553; Oaten). However, for the purpose of this research I will use Siaroff's argumentation, who states that "the United Kingdom became a two-and-a-halfparty system as of 1974" (272). For this categorization, Siaroff has proposed definitions that delineate what should be regarded as a one-party predominant system, a two-party system, a multiparty system, and finally a two-and-a-half party system (271-272). According to this definition, "a two-and-a-half-party system is where the two main parties get at least 80 percent of the seats but not more than 95 percent ($80 \le 2PSC \le 95$) and where the system does not meet the criteria of one-party predominance. Moreover, a stronger version of this type is where the seat ratio between the second and third parties (SR2:3) is at least 2.5, otherwise one approaches a one-and-two-halves-party system" (272). Under Siaroff's categorization, one-party predominance refers to a party system "where the 'typical' result is for a given party (indeed the same party) to have at least 51 percent of the seats and a seat ratio vis-à-vis the second party (SR1:2) of at least 1.8." (271). Under this classification, Siaroff's argument is correct, since the two main parties in the UK received, on average, 91%

of the popular vote and 98% of the seats between 1945 and 1970, while they only secured 74% of the popular vote and 92% of the seats between 1974 and 2001 (Lynch 534, 539). However, while Lynch agrees that the classic two-party system is no longer operational in regards to the national electoral system, he argues that the legislative and executive branch are still controlled by the two main parties and that "[they] have been able to govern alone without the need for third party support" (537).

Secondly, candidates for the UK Parliament are chosen through the simple plurality (or first-past-the-post) electoral system, which means that the candidate with the most votes in one constituency will be elected, the same way candidates for the United States Congress are elected (Lynch 535). According to Lynch, this type of voting system has supported the stability of the two-party system, but it is also responsible for the bleak prospects that third parties have had, as well as fostering the belief that a vote for a third-party is a wasted vote (535). Furthermore, even under a two-and-a-half-party electoral system, Lynch argues that two main parties still reign supreme in the executive and legislative arena, primarily due to the simple plurality system that disproportionally allocates parliamentary seats to the major parties (545). While it is true that third parties have received significantly less seats in comparison to their vote share in the late 20th century, receiving less than a tenth of the seats with over a quarter of the popular vote, this does not mean that they are unable to influence executive and legislative policy (Lynch 539). For example, after the UK's general election in 2010 failed to produce an absolute majority, a coalition government was formed, which meant that a third party was in an ideal position to negotiate and influence the executive and legislative agenda (Oaten). While such an event has been quite unique up until now, it highlights the potential for third parties to be included in the governing majority. As long as none of the major parties manage to get a majority of the seats, a third party is in an excellent position to discuss their political agenda for a coalition government. In this regard, a third party does not need a significant number of seats, they just need a close election to occur in which both major parties fall short of a majority, putting them in position to make favorable trade-offs regarding national policy. However, if we want to apply the two-and-a-half-party system categorization of Siaroff to the US Congress, at least 5% of the seats need to be filled by third party politicians, which means that twenty-three members of the House of

Representatives and five senators in congress do not belong to the Republican or Democratic Party. While third parties in the UK have managed to secure 8% of the electoral seats, on average, in the past half-century, only seven house members and seven senators have been in office for a third party or as an independent during this period, which accounts for roughly 0.1% of the total congressional seats ("Members U.S. Congress"). So, while the prospect of an American two-and-a-half-party congress is possible in theory, given the historical and electoral similarities between the UK and the US, the realization of such a concept would require a drastic increase in the number of congressional members that associate with a third party. Lastly, there is the issue of how a two-and-half-party system (or three-party system) would influence the presidential election process; however, we will deal with this issue in the final chapter when we discuss the obstacles for a three-party system.

The issues with the two-party system

The final part of this chapter will focus on the issues with the American two-party system, elaborating on how the previously discussed issues are damaging democratic ideals and to what extent they are caused by the two-party system, as well as introducing some issues that we have not explored yet. The first issue is that of gerrymandering, which has been used by the ruling political parties since the 1800s to redraw state districts, thereby maximizing the number of districts they can win (Engstrom 21; Little; Patrick 261). According to political science professor Thomas Hunter, gerrymandering has been widely used to suppress African American voters by grouping them together in as few districts as possible, giving disproportionate power to white voters (Little). Furthermore, access to modern technology has made it much easier for parties to retrieve accurate demographic data that can be used for gerrymandering, due to which Hunter argues that "in some ways it's politicians picking their voters as opposed to voters picking their politicians" (Little). This highlights that this is an issue related to party politics, since it shows that gerrymandering is used by elected party officials to include or exclude certain voter groups, such as African Americans. However, the radical usage of gerrymandering can easily be attributed to America's two-party system. Both

major parties are incentivized to prevent third-parties from winning districts, redistricting states in such a way that they are unable to gain a majority, which allows them to retain their position of power and prevents third-party influence in the redistricting process. In comparison, the UK uses non-partisan "Boundary Commissions" to redistrict their constituencies, which allows for a fairer distribution of seats, which might explain why third parties in the UK have been able to get significantly more seats than American third parties (Johnston 1). However, partisan redistribution of constituencies is still considered a future threat for UK's democracy; given how governing parties can potentially change rules and regulations in their favor, as well as "gerrymandering by consultation", in which parties hope to influence the decisions of the Commission's cartographers (Dunleavy; Johnston 9-11). Secondly is the issue of swing states, which are mainly caused by the general ticket system that is used in most states. While the general ticket system favors a two-party system, it is not mutually exclusive with a three-party system, which I will further explore in the final chapter. There are a number of democratic issues relating to swing states; namely, it devalues the votes from other states, it disincentivizes campaigning in other states, it decreases voter participation in other states, and, most importantly, it prevents third-party voting. Harold Hotelling already wrote about this issue in 1950, arguing that dissident voters still vote for one of the major parties, even if they prefer the politics of a third party, perpetuating the belief that voting for a minor-party or independent candidate is the same as throwing away your vote (1). Election issues relating to modern media presence and public debate will be discussed in the next chapter, when we discuss Perot's and Anderson's presidential campaign.

Finally, we will discuss some issues relating to the legislative process, which we have explored in the first subchapter. There are a number of issues in the legislative process that can be traced back to the rivalry between the two major parties. Although multiple issues would still be present under any party system, they become particularly damaging to the legislative process under the two-party system. The first issue lays with the committees, more specifically, the committee chair and their role in agenda setting. When a congressional member proposes a bill that gets referred to a committee, it is up to the chair of that committee to decide when the bill will be discussed by the committee, which means that the chair can stop the bill from moving forward by simply refusing to schedule a hearing for it

(Oleszek 89). While this procedure seeks to guarantee that unpopular or radical bills are quickly rejected, as to not take up valuable debate time, this power is also used as a partisan way to stop bills that are not in line with the chair's party. While it is in the nature of politicians to favor bills that underline policies they agree with, the sharp contrast between the two parties results in highly partisan agenda setting. The majority leadership of the House has a similar power, as they can prioritize bills that are favorable to their party (Oleszek 110). This is especially troublesome at the moment, since political polarization has been increasing for decades, resulting in greater ideological divisions and a growing dislike towards the opposing party and their political agenda ("Political Polarization"). While the House majority leadership can speed up the legislative process for bills from their party, it is the minority opposition in the Senate that can delay this process through the use of a "filibuster", which are lengthy monologues that seek to slow down legislation (Oleszek 239; Sullivan 40). The most common way of avoiding a filibuster is "cloture", a counter procedure that limits the time for debate to thirty hours but only if three-fifths of the senators agree to this (Oleszek 242-243; Sullivan 40). Such a majority is almost impossible to get without the support of senators from the opposing party, which makes the filibuster an effective tool for obstructing legislation that one of the parties disagrees with. While the two-party system should offer a speedy legislative process, due to the fact that legislation only needs to get the support from one other party, these obstacles have made the legislative process sluggish and prone to political stalemates. Because of this, presidents often try to use executive orders to implement party policies; however, this gives the executive to much legislative power, which is highly undemocratic, and will not provide long-term solutions. Furthermore, even bills that have been signed into law do not guarantee longevity, since a new president from the other party might work to undo this, as we have seen with President Trump and the Obamacare legislation.

Conclusion

The American two-party system, which, in theory, should have a speedy legislative process, is particularly sluggish in this regard, which is due to the obstacles that are put in place by the

rivaling parties, resulting in political stalemates. While this system does simplify the election process, this simplicity disregards third-party views and participation, disenfranchising moderate voters by nullifying third-party candidacies. Furthermore, the rivalry between the two major parties has led to a radical usage of gerrymandering and swing state campaigning, which is one of the reasons for voter dissatisfaction. While there are benefits of having a two-party system over a multiparty system, since the deliberative nature of the multiparty system can slow down the legislative process as well, I believe that both are incompatible with modern democratic ideals in a number of ways. Therefore, I think it is wise to consider a two-and-a-half-party system or three-party system, in order to combat the democratic issues that we have discussed.

Chapter 3: Opting for a three-party system

Introduction

In this final chapter, I will outline how a three-party system, with the Libertarian Party as the leading example, might influence America's political climate. Firstly, I will highlight how John Anderson's and Ross Perot's presidential bids exemplified third-party potential and argue why the Libertarian Party has that same potential. Secondly, it is important to consider what new issues might arise from this change and what obstacles are in the way in order for such a change to occur. Finally, we need to look at how a new major party shifts the political dynamic and what issues this might resolve. With this final chapter, I sincerely hope to shine a light on the possibility of a modern three-party system, no matter what party might take on this role, since I believe that many of the issues that are highlighted in this thesis have been exacerbated by the political rivalry of the two major parties. Hopefully future works and studies can further develop and improve on the political framework which this thesis seeks to lay out.

The Libertarian Party as a major party

While we have established that third-party success in American elections is generally caused by temporary divisions in one party due to an internal political conflict or disagreement, there are two elections which I believe highlight the potential for a three-party system. The first election which stands out is the presidential election bid of John B. Anderson in 1980.

Anderson was a Republican at the start of the election but founded the National Unity Party to run as a third-party candidate, believing that congress was becoming sluggish and fearing the conservativeness of Republican candidate, Ronald Reagan (Harrison 369-371). As a politician, Anderson can be seen as liberal Republican, supporting social issues such as civil rights, gay rights, and abortion rights, while largely remaining a fiscal conservative. It is this

combination of political beliefs which I believe offers potential for a modern third party, since it appeals to moderate voters, fiscally-conservative Democrats, and especially liberal Republicans, since most young Republicans disagree with the conservative stances of the older generations in regard to social issues such as abortion, marijuana legalization, and abortion (Gao; Kiley, "same-sex marriage"; "Public Opinion on Abortion"). Anderson's campaign also highlights how third-party candidates are unfavorably affected by the modern election and campaigning system. Anderson's first obstacle was getting on all ballots, for which he needed people to sign his petitions. While all candidates need to comply to this requirement, it had become incredibly hard for third-party candidates to do so, since modern candidates have to rely on media coverage and campaign staff if they wish to gather enough signatures. Given the fact that media institutions are mainly focused on the candidacies of the two major parties, third parties have to spent more time and money to get on election ballots, which even led to a Supreme Court case (Harrison 372). Furthermore, campaign financing had become a problem as well, with the two major parties immediately receiving almost thirty million dollars from the Presidential Election Campaign Fund, while Anderson was only eligible if he managed to get at least five percent of the popular vote (Harrison 374). As the modern presidential campaign gets more expensive, due to the increasing need for advertising, campaign staff, and transportation, independent and third-party candidates are less likely to run for office, since the potential lack of resources and voter support would result in a massive amount of debt. Finally, the fact that Anderson was not invited to speak during televised debates, since the two major parties were seen as the main attraction by networks and organizations, was the final blow to Anderson's election bid (Harrison 380). Anderson believed that he would have gotten between fifteen to twenty percent of the vote if he had not been excluded from the final debate, which "likely would have paved the way for a viable future third party" (Harrison 381). While it is impossible to determine how many votes Anderson would have ended up with if he had participated in this debate, it stands to reason that he would have been able to garner a larger share of the popular vote if he did participate (Harrison 381).

According to academic Christian Collet, Anderson was able to highlight strains in the party system; however, he credits Ross Perot's 1992 presidential election performance, in

which Perot managed to secure nineteen percent of the popular vote, as the event which revealed the instability of the two-party system and opened up the stage for third-party candidates (431). His article, which was published during Perot's presidential bid in the 1996 election, highlights the popularity of Perot, the declining support for the two-party system, and the extensive public support for a new political party, which sixty-two percent of voters wanted (432). Furthermore, Perot received high praise in a Brookings Review article that was published during the 1992 presidential election, who argued that Perot, unlike Anderson, was likely to influence the outcome of the election and might even become the next president (Rafshoon). Perot was incredibly aware of the modern political climate and the role of television, announcing his presidential candidacy on 'Larry King Live' and running infomercials to reach voters (Ashlock). Like Anderson, Perot spoke to moderate voters that felt ignored or were frustrated by the two major parties, but due to Perot's media presence, he was able to reach more people. Furthermore, Anderson had significant trouble gathering enough funds for his campaign, while Perot, who was already a billionaire, had no trouble supplying his campaign with a steady flow of cash. Due to his strong showing in the 1992 election, he was immediately eligible for the Presidential Election Campaign Fund when he announced his presidential bid for the 1996 election. While Perot was a businessman and less outspoken about his political ideals, he was able to win over voters on both sides of the spectrum by criticizing the economic policy of the two ruling parties. This is why his platform was largely based around economic ideals, such as lowering the budget deficit and revitalizing the economy after the recent recession (Ashlock). While Perot was not able to win over as many voters during the 1996 election with his new Reform Party, his presidential bids highlight how populist sentiment can be used to win over a significant number of American voters. Both Anderson and Perot are examples of presidential candidates that were able to speak to an ignored group of moderate voters, raising questions about the political diversity of the two-party system and opening up public debate regarding a three-party system.

In my opinion, the Libertarian Party could continue the third-party legacy of Anderson's National Unity Party and Perot's Reform Party, since they are comparable in a number of ways. Foremost, the Libertarian Party is currently the most successful third party,

securing the most third-party votes during the last few presidential elections, peaking with 4.5 million votes in 2016 ("2016 Presidential Election"). While this voting peak was partly caused by the low voter satisfaction regarding the presidential candidates of the Republican and Democratic Party, a survey from the Pew Research Center has shown that 11% of the American public would describe themselves as Libertarian, highlighting that there are many more voters who are aligned with the libertarian ideology but who are currently not voting for the Libertarian Party ("2016 Campaign"; Kiley, "Libertarians"). I also believe that the Libertarian Party argues for ideals and values that are similar in nature to those of Perot and Anderson. All three have expressed beliefs that can be categorized under principles of classical liberalism and fiscal conservatism, which can be traced back to the democratic ideal of individual liberty ("Libertarian Party Platform" 3). Generally, this means that there is a preference for a small government that interferes minimally with the economy and the public ("About the Libertarian Party"; Claggett 225-227; Kuiper 84). The cultural ideology of libertarians is more closely related to the Democratic Party and their voter base, arguing that each individual should have the freedom to be and do what they desire, which can be seen in the strong libertarian support for marijuana legalization and their acceptance of homosexuality (Kiley, "Libertarians; Kuiper 88-89). Furthermore, we have seen that these views are not only popular with liberal voters but also with young Republican voters that are less affected by the religious traditionalism of right-wing evangelicals (Gao; Kiley, "Libertarians", "same-sex marriage"; Keckler; Kuiper 88; "Public Opinion on Abortion"). However, some modern-day activists within the Democratic Party are moving away from the idea that the government should not interfere in the public sphere. They argue that certain inequalities between the sexes and races can only be solved by governmental interventions, such as requiring companies to hire a certain number of women in managing positions or by limiting the freedom of speech when this can be seen as discriminatory in nature (Horowitz; Poushter). On the other hand, libertarian ideals of laissez-faire economics are highly popular with Republicans, seeking to limit governmental intrusions in the economy, as well as with fiscal Democrats, such as the "Blue Dog Coalition" ("About Us"; Kuiper 85-87). While the libertarian ideology is more closely related to the Republican Party, Libertarians have moved more to the center due to Trump's protectionism, favoring free trade and open immigration

(Coaston). Due to the beforementioned libertarian ideals, which are popular with Democratic and Republican voters, the Libertarian Party has the potential to become a big enough party that an American two-and-a-half-party system or three-party system could occur, similarly to the UK's party system. The UK's Liberal Democrats have highlighted that a moderate third party has the potential to garner enough votes to compete with the two major parties in a first-past-the-post electoral system. At the moment, I would argue that the Libertarian Party is most suited to take on this task; however, this is not an absolute recommendation, merely a political observation based on America's current political climate.

The obstacles for forming a three-party system

While the Libertarian Party has the potential to become a (semi)major party, there are some obstacles that are in the way of establishing a three-party system, which I will discuss in this penultimate part of the paper. The first obstacle is mentioned by Jack Santucci, who argues that "the two parties have to face real third-party threats before they're willing to reform away their advantages" (Grossmann). Santucci raises a valid point, since the two major parties benefit from the current system of gerrymandering, swing states, federal campaign funds, and public debate, they are unlikely to hand in their advantages. Nevertheless, Perot has been able to push through some of the campaign barriers that are favorable for the Republican and Democratic Party, so a future third-party presidential candidate could do so as well. His 1992 election bid polled well enough - above the required fifteen percent - that he was included in the presidential debates with the Democrats and Republicans, an accomplishment which Libertarian Gary Johnson was not able to repeat, although a majority of the public wanted Johnson in the presidential debate (Savransky). Furthermore, Perot managed to get nineteen percent of the popular vote in his 1992 presidential election bid, which made him eligible for the federal campaign fund (Collet 431). While Johnson was not able to surpass the required voter support to be eligible to these advantages, he came fairly close during his 2016 presidential bid. Therefore, if a third-party candidate manages to do well during one election cycle, they are able to go head-to-head with the two major parties during national debates and gain the same federal funding. However, most third-party

candidates also have to rely on funding from their voter base, sponsors, and party, since modern campaigns can cost billions of dollars (Evers-Hillstrom). Therefore, third-party candidates that are campaigning for any public office are in an immediate financial disadvantage, since the two major parties have a loyal and widespread voter base that donates to the party, as well as sponsoring from large conglomerates. Due to this, the two parties can ensure that their candidates have plenty of cash for their campaigns, while independent or third-party candidates have to rely more heavily on crowdfunding and their own financial liquidity. While an increase in campaign funds does not guarantee an increase in votes, which is especially true for campaigning through the increasingly popular medium of social media, since you can reach millions of people fairly cheaply, it is still beneficial to have sufficient campaign funds for advertising, transportation, and a competent campaign staff.

Another obstacle for third-parties is the usage of partisan gerrymandering by the major parties, a practice which a majority of voters is opposed to (Kruzel). We have already stated that gerrymandering is used by the major parties to minimize the number of districts that the other party can win; however, third parties are also affected by this, making it even harder for third-party candidates to win over electoral districts. Furthermore, incumbent politicians from the major parties have no incentive to strive for fair redistricting, since they would be giving up an advantage that could help them win reelection, which is supported by the fact that a majority of the states manipulated district lines during the 2010-2012 round of redistricting (Ekstein 48). When it comes to the advantages from gerrymandering, I partly agree with Santucci and Drutman, who argue that the best way to tackle these advantages is by local reform (Grossman). The belief that reforms are essential for third-party success is based on the theory of Duverger's Law, which states that "the simple-majority single-ballot system favors the two-party system" (Riker 754). However, John Aldrich and Daniel Lee argue that Duverger's Law is an "empirical generalization", given the fact that many other nations that use such a voting method have a party system that more closely resembles a two-and-a-half-party system or three-party system, as we have seen with the UK, but this is also true for Canada, Mexico, and Australia (276-277). Santucci argues for reform such as "ranked-choice voting", which would allow voters to rank their preferred choices, eliminating the candidate with the lowest number of votes when there is no candidate with a majority of the votes, sending the election back for another round, until a candidate has a majority (Grossman). Ideally, such instances of local reform allow third-party candidates to win over some districts, leading to a significant third-party opposition in the state's legislature. However, while many non-profit organizations that strive for fair elections mention such reforms as well, such as the Brennan Center for Justice, FairVote, and RepresentUS, they all argue that the state legislature should not have the power to draw districts, preferring that an independent organization, similar to the UK's Boundary Commission, is in charge of this ("~90% of voters"; "Gerrymandering"; "Redistricting"). While parties could still find ways to influence redistricting, as we have seen with the UK's redistricting consultations, it is unlikely that partisan gerrymandering will continue. Similar reforms could also be implemented to combat the democratic issues surrounding swing states. For example, Santucci and Drutman also argue for amendments to state constitutions that would replace the general ticket system with proportional representation, which would mean that third parties have a chance of influencing presidential elections with the electoral votes they now receive (Grossmann).

However, this brings us to the final issue, which is based around the electoral voting system and the contingent election. If a third party is able to win over some electoral votes during a close presidential election, there might be no candidate that receives a majority of the electoral votes, which means that the House will decide who will be the next president in a contingent election between the three major parties. A common criticism of this new situation is that it would give too much power to the states, who are able to decide the next president by ballot, as stated by the Twelfth Amendment (National Constitution Center 12). While the framers of the Constitution and the Twelfth Amendment were content with this procedure, since they made sure that populous states did not get the upper hand in this decision by reducing the number of votes a state has in this ballot to one vote per state, such a procedure can be seen as highly undemocratic in a modern-day democracy. The democratic issue in this case is that voters are no longer in charge of deciding who becomes the next president. There would also be fear that the party that has the most representatives in a specific state will use their majority to vote for their party's candidate, not taking into account how the public has voted in that state, as was the case in the 1824 contingent election. In this regard, there are

some options to change the electoral college, preventing this kind of contingent election. Some reform options of the electoral system seek to implement a direct popular election, which would eliminate the electoral college altogether, such as the recent House resolution "H.J. Res. 14" (Neale, "Options for Change" 2). However, Lowi does not agree with this sentiment, believing that a "constitutional crisis" over the presidential election is "one of the best arguments in favor of a three-party system" (704). He argues that the presidency has gotten too big, which has burdened the presidency with impossible expectations. Furthermore, he believes that a presidency, with congress as his direct constituency, would be more in line with the ideals of the original constitution and would allow for more collective responsibility (704-705). While this might be true regarding the intentions of the framers, who preferred to give the final say in elections to political elites, such as electors and the House, this is no longer in line with contemporary democratic ideals. Therefore, in order to safeguard democratic elections during such an occasion, a constitutional amendment is necessary. While a direct popular election is one solution, this would require a great overhaul of the Constitution and America's voting system. In this regard, a simpler solution would be to only change the Twelfth Amendment, changing the "majority of the whole number of Electors appointed" to a plurality of the electors (National Constitution Center 12). In this case, the candidate with the most electoral votes would become President and a contingent election would no longer be necessary.

The impact of a three-party system

We have now established the political history of the two-party system and its structure, discussed the issues and obstacles relating to this system, and established a theoretical framework for a two-and-a-half-party system. Therefore, we can now hypothesize about the central question of this paper; namely, how might a three-party system influence democratic representation in American politics? In order to answer this question, it is important that we outline what this future third party might look like, based on the arguments and information that we have discussed. Firstly, we have argued that the Libertarian Party is currently in the best position to become a third (semi)major party, so this is the party we will use in our

argument. Secondly, we need a realistic conceptualization of the magnitude of such a party. In order to speak of a three-party system in our argument, a third party needs to at least meet the requirements of Siaroff's two-and-a-half-party system, which means that Libertarian Party would need 5% to 20% of the electoral seats, if they were the only third-party to gain seats (272). When we translate this to congressional members, this would mean that twenty-three to ninety-five House members and five to twenty senators belong to the Libertarian Party. While a true three-party system implies that the three major parties roughly get a third of the electoral seats each, this scenario is highly unlikely given America's political climate and structure. Furthermore, Siaroff has not provided a categorization for a three-party system, since the closest example of such a party system would be Germany's system with the Free Democratic Party, which was in government for a majority of the time during the second half of the 20th century but never got more than 13.2% of the seats (273). Therefore, we can assume that such a party system does not currently exist. This is supported by figure 1(b) in Aldrich and Lee's research, which highlights that the effective number of parties by seats in other nations with a first-past-the-post system does not go beyond three parties, most of them sitting in between a two-party system and a two-and-a-half-party system (277). While Aldrich and Lee are critical of Duverger's Law and some of its claims have been weakened since the theory was proposed, it does seem to explain the non-existence of a three-party system, since it states that the simple-majority single-ballot system favors a two-party system, while "Duverger's Hypothesis" argues that a system with proportional representation favors multipartyism (Riker 754). So, for our argument, we propose that there is a (semi)major Libertarian third party, who controls at least 5% of the electoral seats and electoral vote, which is twenty-seven electoral votes, similar to winning a state like New York (Pallay).

Finally, we will now discuss how such a third party might impact the American political climate. One of the major changes is the congressional makeup of the government, since we have proposed that at least twenty-three members of the house and five senators belong to the Libertarian Party. During the last ten congresses - the 108^{th} to the 117^{th} Congress – there have not been many occasions where one of the two major parties had an overwhelming majority in the House or Senate. Only during the 111^{th} Congress did one party have a majority of more

than five senators (fifty-six senators or more), and only during the 111th, 112th, and 114th Congress did one party have a majority of more than twenty-three House Representatives (241 House members or more) ("Congressional Pictorial Directory"). Therefore, it stands to reason that there would be fewer occasions in which the House and Senate are dominated by one party, since it would be harder for a single party to gain an absolute majority. Under these circumstances, parties need to rely more heavily on the support of congressional members of other parties, which could result in coalitions or caucuses between the major parties and the Libertarian Party. Since we have established that the Libertarian Party is ideologically compatible to both parties, depending on what the political issue at hand is, they are in a good position to ally themselves with the party that has a similar agenda. We have seen a similar phenomenon after the UK's 2010 election, in which the Conservatives and Liberal Democrats allied together (Oaten). This allowed a third party, the Liberal Democrats, to position themselves in a key spot for pushing their legislative agenda. Therefore, a third party in congress could increase the odds that parties cooperate with each other, since it would be more difficult to pass legislation by themselves, which means that at least two parties share responsibility over a bill. Furthermore, undemocratic practices such as the filibuster are also less likely to occur, since cooperation between two parties would mean that the necessary sixty votes for cloture are more easily obtained, which incentivizes parties to work together so legislation can be passed more quickly. While committee chairs and the majority leadership in the House will still be able to set a favorable agenda for their respective parties – and will be able to do so for a little while due to a system of seniority – I believe that such an occurrence is unavoidable. Even so, I hypothesize that partisan agenda setting is likely to decrease, strengthening the legislative power of congress. Currently, executive orders and judicial review are used regularly to create legislation, which could decrease if congress is able to deal with controversial issues in an efficient and effective manner, centralizing legislative power around congress again.

Lastly, we have already discussed multiple ways in which political reform could be beneficial to the success of a third party; such as, ranked-choice voting and putting independent organizations in charge of redistricting to combat partisan gerrymandering, proportional representation of electoral votes within states that more accurately reflects on the vote share

of third parties and might decreases the number of predetermined states, and a change to the Twelfth Amendment, under which a plurality of votes would be required for a presidential candidate to win the election, eliminating the need for a contingent election in the House. While these reforms could take place before a third party is able to become a (semi)major party, which would likely speed up such a development, it is entirely feasible that these reforms take place under a three-party system. The current Libertarian Party has already stated that they seek a "representative government", supporting many of the reforms mentioned above, indicating that future libertarian congressional members would push for these changes to occur ("Libertarian Party Platform" 10). So, whether these reforms are the catalyst to a three-party system or vice-versa, they will improve the position of third parties and allow for a fairer and more honest representation of American voters and the diverse political ideals they represent.

Conclusion

This final chapter has set the stage for a modern three-party system by highlighting successful attempts by recent third-party presidential candidates. One of these candidates was John B. Anderson, who had a moderately successful presidential run during the 1980 election, which can be seen as the first modern attempt to break the two-party duopoly. Ross Perot's presidential bids in 1992 and 1996 would further highlight the fact that voter dissatisfaction was growing and that the divisiveness between the two major parties was making room for a new party to establish itself, since there was now a public demand for this (Collet 432). Recently the Libertarian Party has seen some success with their moderate platform, adopting ideals from both political aisles, which are encompassed under a strong belief in civil and individual liberties. By establishing a (semi)major third party, the political legitimacy of the federal government could be increased, since the required cooperation for a three-party system could limit rivalry and political stalemates, while allowing voters to vote more conscientiously. However, such a framework is currently just a theory, due to the fact that there are political obstacles; such as campaign financing, gerrymandering, and electoral voting, that obstruct the transition to such a system.

Conclusion

Based on this paper's observations, I would argue that the modern era of American politics is extremely polarized due to the two-party rivalry, which has pushed both parties more to the fringes and has alienated the moderate voter. We are currently a long way off from the vision the Founding Fathers had when the nation was founded. While the constitution is silent on the role of parties, existence of local two-party systems in the colonies quickly rose to a national level due to the simple-majority single-ballot system and was cemented under the Democratic and Republican Party. In the last half-century, issues relating to party politics have become a growing problem to the democratic ideals of the nation. Furthermore, thirdparty candidates have established themselves as contenders throughout American history, most recently with John B. Anderson, Ross Perot, and Gary Johnson. Some of the issues that are present in the American two-party system; such as gerrymandering, swing states, campaign financing, and legislative stalemates, can be attributed to the need for one party to dominate over the other, which has led to undemocratic practices that are favorable for the major parties and are not as present in other two-party systems. The need for one-party domination is especially clear during the legislative process, since a party can only successfully implement its legislation if it has control over congress. However, this has made the legislative process rigid and sluggish, forcing the executive and judicial branch to pick up the slack. The three-party system (or two-and-a-half-party system) that I have proposed might improve the American political climate in a number of ways; namely, by breaking up districts and states that are currently dominated by one party through electoral reform, incentivizing cooperation and deliberation between the parties to break out of legislative stalemates, creating an environment where temporary coalitions with another party and its congressional members after elections are favorable for both parties, and pulling back the two major parties from the fringes, thereby providing a wider range of ideals for Americans to vote consciously on during elections.

I hope that I have been able to highlight the potential that an American three-party system has, as I sincerely stand behind the arguments I have put forth in this thesis. When I started my academic career in 2016, during the time that the presidential campaigns of Trump and Clinton became more and more divisive, I was unaware how chaotic the American political climate would become. While I have always leaned more closely to one political aisle than the other, I was not able to see myself voting for either of the major candidates. The same was true for the 2020 election. However, during this time I was fascinated by politicians, academics, activists, and journalists that highlighted the tightening of political bubbles and the refusal of political opponents and activists to discuss their differences. For me, the idea that you can debate with someone over highly controversial and divisive issues without the other silencing or attacking you was the most essential part of a working democracy. This passion for individual liberties, which, for me, is incompatible with both major parties, was the catalyst for my research into American third parties. While I realize that this is a subject with a broad history that intersects with many aspects of politics and academia, I believe that the current two-party rivalry is quite unique and should be researched more carefully. Hopefully, academics within American Studies and Political Science, such as Santucci, Drutman, Aldrich, Siaroff, Riker, and Lowi, will be able to further build on the (Libertarian) third-party framework which has been laid out in this paper, since the proposed changes to American politics will likely require decades to take full effect. While I was unable to personally conduct research during the 2020 election, due to the Dutch and American lockdown, I hope to incentivize other researchers to conduct investigations and surveys that will contribute to the academic debate on American party politics.

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