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Introduction

Harbingers of Change

Getting into the hotel elevator at 7:00 a.m. on the morning of Election Day, November 7, 2000, Green Party presidential candidate Ralph Nader looked a little more tired than usual. He had just finished a sixteen-hour run of last-minute get-out-the-vote rallies starting with a meeting with the Reverend Al Sharpton in Harlem at 3:00 the previous afternoon, continuing with a flight up the coast to Boston University, where he addressed thirty-five hundred college students at a rally organized on two days' notice, followed by a late-night drive to speak to seven hundred up at the University of New Hampshire in Durham (outdrawing Democratic vice presidential candidate Joe Lieberman, who visited the school three hours earlier) and ending with a 1:30 a.m. Maine rally at the University of South Portland with three hundred semidelirious students and older folks crammed into a sweltering and smelly lecture hall. He and his small entourage of advance men and reporters had rolled into the Hampton Inn in South Portland at 3:00 in the morning. The Roman legion drumbeat that Nader playfully taught a group of drummers at the last rally—"Boom-boom-buh-buh-buh-buh"—was still ringing in my ears as Nader ambled beside me in the elevator. We had a plane to catch at 7:45 a.m.

"So, do you want to hear my prediction?" Nader asked. "Mmmhmm," I answered, half-awake. "Oh, you mean about the election," I said. The question was whether Nader would reach 5 percent of the vote, qualifying the Green Party for millions in federal funding for its 2004 presidential efforts. This was a central goal of his candidacy. "Three percent," Nader declared, with just a touch of resignation in his voice. "Oh, really?" I answered. "Why do you think that?" I had been guessing that his final tally would be anywhere between 4 and 6 percent. This, based on the fact that most national polls had shown him hovering between 5 and 6 in the week before the election and optimistically assuming that although maybe half of those voters would melt away on Election Day, the polls were undercounting his real base of support by leaving out the proverbial unlikely voters who might be attracted to his uncommon honesty and candor.

"Did you hear the early New Hampshire vote?" Nader answered as the elevator took us down to the lobby. "I got just one vote out of eighty in Dixville Notch," he reported, citing what he thought were the results from a tiny mountain hamlet that always votes at the stroke of midnight on Election Day. "I usually do better there," he said. "Maybe we should have made a visit," he added sardonically, no doubt thinking of all of the corners of the country he had covered over the course of his eight-month run for the presidency. I mumbled something about how the Dixville Notch vote was meaningless, that it was a tiny group of voters and far from representative of the electorate. But although it turned out that Nader was wrong about the actual returns from Dixville Notch,¹ his prediction for the rest of the country was dead-on.

Should Nader have run? What did his campaign accomplish, both in terms of affecting the national political debate and in terms of building the Green Party? Could anything have been done differently to produce a better outcome? And where do Nader and the Greens go from here? After successfully getting on forty-four state ballots, raising almost \$9 million, hiring one hundred campaign workers, mobilizing one hundred fifty thousand volunteers, and starting five hundred local Green groups and nine hundred campus chapters, Nader's 3 percent showing—2.7 percent, to be precise, or about 2.8 million votes out of a little more than 100 million cast—was a big disappointment to many of his supporters. Though Nader didn't have Ross Perot's billions, and he was excluded from the presidential debates (unlike Perot in 1992 and John Anderson in 1980), he was widely known and highly respected for his decades of selfless service as the country's leading public advocate. If this was the best a third party could do in the presidential sweepstakes with a candidate of such high public standing, maybe it was a mistake for activists to try to challenge the two-party duopoly at the

presidential level, where it was most entrenched. Maybe the whole Nader gamble was a huge mistake.

And maybe it wasn't. After all, what else are political dissidents supposed to do — submit to the dominating power of big money in both major parties? Or abandon the national electoral playing field—the one place where the largest number of Americans participate in politics? Nader and the Greens were doing what every true believer in democracy would do: making their best effort, despite the obstacles erected by the two-party duopoly, to address their fellow Americans with a serious, alternative message about important issues facing the country. Close to a million new or previously discouraged voters responded, on top of ones that Nader took from Gore and Bush, judging from exit polls that found about one-third of Nader's voters saying they wouldn't have participated in the election if he had not been running.² Several hundred thousand people saw Nader in person and not only heard a thoroughgoing critique of the corpo-ratization of America but discovered that they were not alone in wanting the revival of civic values that was at the core of Nader's crusade. His was the best showing of any progressive third-party presidential candidate since 1924. The energy unleashed by his campaign was evidenced by the tens of thousands of people who actually paid to attend one of his "super-rallies." With the two major parties continuing to neglect the issues that Nader and the Greens raised it is clear this dissident movement is not going away anytime soon.

Is America ripe for more outside-the-box politics? And can this enthusiasm produce real changes in the country's direction? Certainly, in the last ten years there has been a surge of interest in independent and third-party candidates. The corruption, dishonesty, and sheer ossification of the two-party duopoly are producing its antithesis: the search by millions of Americans for a meaningful alternative.

At the presidential level the most visible of these developments was, of course, the emergence of Ross Perot, who received nearly 20 million votes in 1992 and 8 million in 1996. The total vote for other third-party presidential candidates —those without the kind of attention that Perot was able to command thanks to his wealth—also doubled, from 1 million to 2 million, between 1992 and 1996 and doubled again, to 4 million, in 2000. Less noticed, but of equal importance, has been the increasing success and sophistication of minor political parties at the state level. The Greens and the New Party established real roots, actually electing and holding onto local offices in more than twenty states, swinging a number of key races, and pushing important initiatives on such issues as the right of workers to a living wage.

The last few years have been full of harbingers. For the first time in decades, a third-party candidate who was not a high-profile refugee from one of the two major parties—Jesse Ventura — won election to statewide office, as the governor of Minnesota. The 1998 elections also saw Maine's independent governor and Vermont's independent member of Congress win reelection by substantial margins. Third-party candidates also drew substantial fractions of the vote, into the double digits, in several gubernatorial races and in a smattering of congressional battles, with a noticeable effect on the local political debate. In addition to many tiny sectarian groups, at least six minor parties—the Reform Party, the Greens, the New Party, the Libertarian Party, the Natural Law Party, and the U.S. Taxpayers Party (now called the Constitution Party)—were active in a coordinated and growing fashion across several states.

In 2000, the third-party presidential candidacies of TV commentator Patrick Buchanan and consumer advocate Ralph Nader drew national attention, with the press falling over itself to cover the infighting within the Reform Party and, to a lesser degree, the chances that Nader would swing the race from Gore to Bush. Below the radar, Greens won thirty-two races, swelling their presence in local politics to eighty officeholders spread over twenty-one states. Several Progressive Party state legislators were returned to office in Vermont, while their gubernatorial candidate drew a respectable 10 percent of the vote and participated in all the statewide debates. In Minnesota, Jesse Ventura's Independence Party showed that it had legs, with nearly two dozen candidates for the state legislature getting respectable chunks of the vote, and one congressional contender reaching 20 percent in a three-way race. The New Party continued to rack up its victories in a half-dozen cities, while a newly

created effort based on its model, the Working Families Party of New York, emerged as a fresh force in state politics.

The rise of these new parties and independent candidates has offered the hope that something like full-blooded competition might be brought to the electoral arena and with it the possibility that new ideas, alternative policies, real accountability and fresh perspectives might prevail. With voter turnout continuing to hover at barely half the eligible electorate, disaffection from the major parties has become a central fact of political life. Many people believe the moment is, indeed, ripe for more independent, third-party bids in American politics.

A One-Party System Shared by Two Parties

There is another reason why this resurgence of interest in third parties is important. We need more choices outside the two-party framework that has governed American political life for more than a century. And we need those choices both in physical terms, as viable candidates on state and federal ballots, and in philosophical terms, as alternative ways of thinking about and solving our nation's problems. Right now, we have neither.

America's seemingly perfect two-party duopoly has produced a politics of near-total paralysis. Few elections are competitive. Most are dominated by whoever has the most money. The expensive top-down art of using market research to produce manipulative TV ads has replaced bottom-up campaigning. Big issues, whether they are related to problems we will face in the future or accountability for mistakes made in the past, are rarely addressed honestly. As a result more citizens are giving up on the franchise, or, as we will see in this book, rebelling against the rotten and dysfunctional two-party system and trying to open it up.

A duopoly is defined as a market with just two sellers. Picture a beach with just two ice cream stands selling essentially similar products. While the vendors may start out anywhere, eventually they will locate right next to each other in the middle of the beach where they will each be closest to half the bathers. In such a setting, as long as they can lock out any other competition, they can jointly act to raise their prices, lower the quality of their ice cream, even take a vacation at the same time. As long as this is the only beach to swim at, the bathers will be stuck. (If, however, more ice cream trucks break in, this produces a wide scattering of positions.)

This example of duopoly at work is drawn from the work of economist Harold Hotelling. Hotelling's beach analogy is often cited by political scientists to explain why Democratic and Republican presidential candidates try to move to the center once they have won their respective party's nominations. (It's also used by economists to explain why fast-food outlets like McDonald's and Burger King will often locate themselves side-by-side in one town, an unintentionally fitting analogy to the sort of food dished out by the two major parties.) What is left out of the picture are the artificial conditions that allow the Democrats and Republicans to duopolize the market, namely laws they have written and customs they enforce to restrict the access of other parties to the ballot, to campaign funding, and to the media.

It is for this reason that Cornell University professor Theodore Lowi, a former president of the American Political Science Association, not long ago wrote, "One of the best-kept secrets in American politics is that the two-party system has long been brain dead —kept alive by support systems like state electoral laws that protect the established parties from rivals and by Federal subsidies and so-called campaign reform. The two-party system would collapse in an instant if the tubes were pulled and the IV's were cut."³ The problem is that the two major parties keep the hospital very well guarded.

We need more choices. Consider that in 2000, 98 percent of U.S. House incumbents won re-election.⁴ Residence in the body that was intended by the framers of the Constitution to be the most representative of all Americans (the Senate was intended to be more like a British House of Lords) is more secure than tenure. Indeed, in recent years a House incumbent has been more likely to die in office than be beaten by a challenger from his own party.⁵ The picture was no better in 1998, when 99 percent of U.S. House incumbents won re-election, crushing their adversaries with an average of

more than 70 percent of the vote.⁶ Ninety-five incumbents ran that year without any major party opposition whatsoever, as did sixty-four lucky lawmakers in 2000.

Most House incumbents also towered over their challengers in the money chase. In both 1998 and 2000, nearly two-thirds of this insulated group had at least ten times more money than their rivals.⁷ The effects of partisan gerrymandering, unbalanced campaign financing, and minor-party disenfranchisement are so telling the Center for Voting and Democracy, a group that is fighting for alternative voting systems, was able to accurately predict the outcomes of 340 out of 341 incumbents' races a full year before the 1998 election. In 2000, they identified 237 seats that they expected would be won by landslides of 20 percent or more and they were again off by only one.⁸

At the state level, noncompetition is even more extreme. In Florida, ground zero in 2000 for anyone concerned about the importance of counting every vote, the two major parties did not field candidates against each other in nearly half of all legislative races. In Massachusetts, the cradle of American democracy, almost three-quarters of all state legislative races were one-person shows. Overall, in 2000, 40.6 percent—four in ten—of all state legislative races were uncontested by a major party.⁹ Only twenty-five incumbents of the New York state legislature have lost their seats in the last twenty years, during which there have been 2,110 general election contests.¹⁰

How has our country achieved such stunning stability? Are Americans so happy with politics as usual? Or is something else at work? Only rarely, as in the state of Louisiana, where the top eight Democratic and Republican officeholders recently made a public pact to not campaign against each other,¹¹ do the two parties let voters in on their dirty little secret. The truth is, the major two parties don't like competition, and they'll do many things, even avoid attacking each other's turf, to keep themselves comfortable and unchallenged.

Even when one party has a strong candidate seeking to knock off an unpopular adversary, duopolistic behavior often wins out. Back in 1990 congressional Democrats and Republicans had a back-room understanding not to attack each other for voting themselves a hefty pay raise. Thus the Democratic Party actually withheld financial support from David Worley, a strong challenger to then-back-bencher Newt Gingrich. Worley had dared raise the unpopular pay-raise vote in his effort to unseat the man who later became Speaker of the House. (Even without party help, Worley came within 974 votes of beating the abrasive Republican, and many Democrats admitted later they had made a foolish mistake.)

Something similar happened in the 2000 election, when national Democrats in effect protected Rep. Tom DeLay, one of their most hated adversaries in Congress. Hill Kemp, a former Democratic state representative, got 34 percent of the vote running against DeLay in 1998, after spending just \$75,000. But when he sought help in challenging the House whip again, Matt Angle, the executive director of the House Democratic Caucus, told Kemp that Democrats would "be more likely to give [him] money in any other district in the country."¹² Kemp didn't run, and DeLay was spared the effort of having to defend himself against a seasoned challenger.

This ethic of not challenging each other is also at work on the plane of ideas, where the two major parties often agree about quite a bit. In the last presidential campaign, Republican George W. Bush and Democrat Al Gore agreed on everything from eliminating the federally guaranteed floor beneath poor mothers and children (aka "welfare reform") and increasing the defense budget to expanding the use of the death penalty, deregulating large sectors of the economy, and militarizing the "war on drugs."¹³

Of course, there were also some substantial differences between Bush and Gore, and not just in personality *or* character. They disagreed about how much military spending should be increased, for example. They parted ways on aspects of tax policy. And they clashed on other issues of importance, such as abortion and gun control. But on many fundamental questions about the direction of America and the quality of life of its citizens, they were in total, numbing agreement.

For a country that prides itself as the heartland of free-market capitalism, this lack of competition in the political arena is not just perverse. It is positively unhealthy. The essence of democracy is the ability to hear and decide among opposing views. But the political duopoly—two parties tacitly agreeing to divide the market up and not seriously challenge each other 90 percent of the time —is

producing a special kind of civic paralysis. In order to move in a different direction, we need to be able to see an alternative path and hear someone telling us why this is the better way to go. But the duopoly stifles meaningful debate about the big choices facing the country, with rare exceptions (such as the fights over the nomination of Robert Bork to the Supreme Court and the NAFTA accord). Instead, most day-to-day politicking in Washington and many state-houses has become a subtle, grinding war of position aimed at a tiny number of so-called "swing" districts and voters, while those special interests with the resources to hire lobbyists and finance campaigns play an insider's game of dividing up the spoils.

Alternative points of view do not lack support in American public opinion. Substantial numbers of Americans—in some cases majorities—support aid to poor children, cuts in corporate welfare, reductions in military spending, universal health care insurance, alternatives to the drug war, labor and environmental protections in trade agreements, tougher measures to guarantee clean air, water and food, a living wage, more democratic oversight of federal banking policy, burden sharing with our overseas allies, more investment in energy conservation and alternative fuels, and a comprehensive overhaul of the campaign finance system, to take some of the major issues that were not raised in the 2000 presidential election.¹⁴

But these choices are rarely presented to the voters for ratification because the two major political parties, the Democrats and the Republicans, have made it exceedingly difficult for parties and candidates with dissenting views to share space with them on the civic stage. It's as if two football teams had agreed to play only between their respective 40-yard lines—and to keep other teams that want to use the whole field out of the stadium.

The Third-Party Prospect

Other political parties—what we commonly call third parties¹⁵—(and independent political candidates) are those other teams. Historically, third parties have led the way in opening up discussion of new issues. The abolition of slavery, women's right to vote, the direct election of U.S. senators, initiative and referendum powers, the progressive income tax, shorter working hours, child labor laws, federal farm aid, and unemployment insurance—all these changes came about because of the pressures first mobilized by minor political parties. While most of the concerns raised by third parties have been progressive, they have sometimes also been repositories of resentment—pushing for restrictions on immigrants or crackdowns on crime. In general, third (and fourth and fifth) parties broaden the permitted boundaries of public discussion. When they are politically successful, third parties also offer protection to their supporters from the tendency, always present, of the holders of power to use the state to suppress unwanted dissent.

At different times, third parties have had a substantial presence in Congress and state capitals. The People's Party elected two senators and eight congressmen in 1890, a number that peaked at five senators and twenty-two congressmen six years later. In all, between 1890 and 1902, the states of Kansas, South Dakota, Montana, Nebraska, California, Colorado, North Carolina, Idaho, Alabama, and Arkansas all sent People's Party representatives to Congress. During the same period, People's Party members also held governor's offices in Colorado, Kansas, and South Dakota. The Socialist Party had a member of Congress from either New York or Wisconsin in nearly every election cycle from 1910 to 1928, along with a substantial number of municipal officials, even mayors of major cities, until 1960. The Farmer-Labor Party of Minnesota thrived in the 1920s and 1930s, electing a number of senators and representatives to Congress and holding the governor's mansion from 1930 to 1938. Prohibitionists elected the governor of Florida in 1916 and sent a representative to Congress from Los Angeles for three consecutive terms between 1914 and 1920; they also helped push through the Eighteenth Amendment to the Constitution banning the manufacture or sale of liquor (which was repealed thirteen years later). The party was, moreover, the first to demand women's suffrage (in 1872); it was joined later by the short-lived women's Equal Rights Party (1884-1888) and later by the Socialists (in 1904).

Teddy Roosevelt's Bull Moose Progressives were elected to Congress from the states of Washington, Illinois, Michigan, New York, Pennsylvania, and Louisiana between 1912 and 1918; later, followers of Wisconsin's "Fighting Bob" LaFollette would send a number of their Progressive Party leaders to Congress and the statehouse between 1934 and 1946. In New York City, the American Labor Party sent two representatives to Congress at its height between 1946 and 1948. (And thanks to the brief use of proportional representation, the ALP elected several members to New York's city council, and even the Communist Party had two council members at one point in the early 1940s.) Popular pressures mobilized by Upton Sinclair's 1934 "End Poverty in California" gubernatorial campaign, along with the Huey Long and Francis Townsend populist movements, undoubtedly helped push President Franklin D. Roosevelt to the left and aided the passage of the Social Security Act of 1935. Similarly, the Progressive presidential campaign of Henry Wallace in 1948 prompted Harry Truman to tack left on housing, health care, and civil rights.¹⁶

But third parties, even regionally based parties, have not played such a substantial role in American politics for more than fifty years. Why? Because the two major parties, often acting in concert, took steps to close down the third-party option. Laws regulating ballot access were tightened, giving the Democrats and Republicans a tremendous advantage; rules governing voter registration were toughened so as to disenfranchise poor and minority citizens; fusion, in which smaller parties cross-endorsed candidates of other parties but had their votes counted on their own line, was banned; membership in third parties, especially of the left, was stigmatized as fringe and unpatriotic. As television came to dominate public life, the costs of campaigning and gaining visibility also worked to deter and suppress third-party candidates.

Mainstream political scientists like to say that the American two-party system is a natural product of something called "Duverger's Law"—the claim, made by Maurice Duverger, that winner-take-all systems that award representation by single-member districts cause voters to congregate around one of two parties in almost mechanical fashion. The actual history of American politics shows that despite such structural choices we had a thriving multiparty system until the early 1900s, when most of these deliberate steps were taken to suppress insurgent third parties and disruptive voters. In addition, it's hardly correct to say that we have a two-party system today, outside of the fight for the presidency and the balance of control in Congress. Most Americans live in defacto one-party districts, where even a vote for a second party is a so-called wasted vote.¹⁷

An honest appraisal of the future of third parties in America must start by admitting that the path ahead is still strewn with obstacles. Though we need more choices, it isn't clear that we will get them. Money dominates elections as always in all but the few states with "Clean Money/Clean Elections" full public financing systems for candidates.¹⁸ Winner-take-all elections force most candidates into a "spoiler" role, causing many potential supporters to fear "wasting" their vote. The mainstream media haven't changed their tendency to marginalize all third-party candidacies, regardless of the candidates' actual chances. And in most states the rules written by the major parties hinder other parties' access to the ballot and make it harder for people to simply find their candidates on the actual ballot.

More subtly, anyone trying, to create a political alternative is swimming against a powerful cultural tide of declining expectations about politics itself. Why bother with a new party if you think nothing good can be achieved through politics, that wealthy special interests will win out no matter what, or that career politicians will sell out to protect their own incumbency regardless of which party they belong to? The victories of a few independent candidates are certainly suggestive of the potential for efforts outside the two-party box. But they are not the same thing as creating a durable third party. A political party, defined as an ongoing, self-conscious organization of individual voters and officeholders with a common identity and ideas that seeks to win and exercise power, is a rare thing. Building one—even at the local level where most of the real work of politics happens—takes endurance and social solidarity.

We Americans, accustomed to the instant gratifications of consumer capitalism, have little patience for the inevitable trials and tribulations that come with supporting any fledgling political enterprise. In addition, we are atomized as never before by forces of modern life—television,

exaggerated fear of crime, social architecture that separates people into isolating cocoons, the flowering of Internet chatrooms devoted to every subgroup imaginable. As a result, there are few places where large groups of people can develop the essential bonds of trust and common interest that serious party organizing requires.

Third party efforts are also hindered by an unseen process of social self-selection. The people most drawn to them tend to be well meaning but politically inexperienced, along with a good number of ideological and single-issue zealots. Many savvy political organizers also tend to stay away from third parties for pragmatic reasons —the odds are long, and they worry about helping the party they most detest by taking away votes from the party they only somewhat dislike. This process of self-selection often leaves third-party efforts bereft of basic organizing smarts and scrambling to hold onto an ever-fluctuating cast of volunteers. Inexperience is as much a killer of third-party prospects as the structural obstacles erected by the two-party duopoly.

Class, race, and gender are also hidden obstacles. As I discuss in chapter 2, indexes of political alienation show that the potential base for outside-the-box politics is disproportionately concentrated among people of lower incomes, darker skin color, and women. But third-party activists are often middle-class whites; frequently the leaders are men. The deliberate and unconscious choices they make about how to organize themselves and what issues to emphasize often have the effect of narrowing their appeal to the very constituencies that they need most to build their ranks.

And yet the impulse to seek out new choices has not died. In this book, we will meet many of the people who have tried, despite the obstacles, to take on the duopoly in recent years. However, I have paid only passing attention to the Libertarian Party, the Natural Law Party, and the Labor Party, and none whatsoever to even smaller, more sectarian parties. None of these efforts, however well intentioned, have yet had major effects on our electoral process. A number of Libertarians have been elected to local office, but the only partisan races in which they have managed to draw into the double digits have been those with only one major party candidate on the ballot. Nor have the party's presidential candidates managed to climb out of the 1 percent ghetto. Libertarians managed to "spoil" two U.S. Senate races for the Republican Party, one in 1998 in Nevada and one in 2000 in Washington state, but in both cases this was by getting in the middle of a very tight major-party battle, not by getting a large vote on their own.¹⁹ Like the Libertarians, the Natural Law Party has managed to recruit a good number of local and congressional candidates. But that party, too, has had no significant effect on the process. The party's close and curious ties to the "transcendental meditation" movement of Maharishi Mahesh Yogi also seems to destine the party to the margins of mainstream politics, even as that connection provides it with a steady source of volunteers. The Labor Party has yet to field any candidates for office. Thus it is simply impossible to judge its influence or potential.

Rather, the focus here is on three concurrent third-party projects that all started at the beginning of the 1990s and played out, sometimes spectacularly, over the course of the last decade. The Reform Party was the biggest and most significant of the three. Though its founder, Perot, has quit the scene, and the party itself disappeared into fringe-land with the divisive candidacy of Pat Buchanan, the essence of the original Perot phenomenon continues in a potentially more viable form in Minnesota. Governor Ventura is still highly popular in his state and across the country, despite (or because of?) his constant self-aggrandizing. From its beginning in the anti-incumbent fervor of the early 1990s to its semirevival under Ventura's banner, this third-party project has been self-consciously "centrist," seeing the opportunity for a new political movement positioned in the middle of what it sees as the extremes of the two major parties. That may well be one way forward for third-party advocates. Chapter 1 explains how Ventura achieved his stunning victory; chapters 3 through 5 trace the rise and fall of the whole Perot phenomenon, from its roots in the early 1990s, through the construction and destruction of Perot's grass-roots base and finally into the party's one moment of revival in 1999 and then implosion.

The second movement explored here is that of the Greens, the party that "spoiled" the 2000 election in the eyes of many Gore backers, but whose de facto leader, Ralph Nader, and supporters believe fervently that you can't spoil a system that is rotten to the core. The Greens are fundamentally a reaction to the overall rightward drift of both of America's major parties in the last generation; they

see the opportunity and need for a new political movement not in some imaginary "center" but on the progressive left. There is a front-on confrontation with the entire duopoly, a challenge to all the rigging so eloquently described by Theodore Lowi and a demand for dramatic political and economic reforms. As some social and environmental conditions worsen, or as the moral intensity of the antiglobalization movement spreads, the Green Party's banner may well rise. But for it to do so the Greens will also have to find a way beyond their current base of progressive college towns and similar locales. Chapter 6 charts the origins of the Greens and the party's entry into serious electoral organizing in the 1990s, with a focus on New Mexico, its biggest success. Chapters 7 and 8 zero in on Ralph Nader's presidential efforts and close with a detailed postmortem on his 2000 campaign.

Finally, there is the New Party and a state party that developed out of its model, the Working Families Party. Though founded by progressives and led by veteran labor, feminist, environmental, and social justice organizers, the New Party does not buy the Green vision of "organizing the left." Rather its goal is to "organize from the bottom up," reaching those Americans who are most disenfranchised by the existing order, with a deliberate emphasis on inner-city constituencies and organized labor. Its leaders have also chosen to focus on nonpartisan electoral work at the local level and a "changing the rules" strategy to eliminate the "spoiler" problem for third-party efforts in partisan races. Until those rules are changed, it may well be that no durable third-party effort can survive in America's emaciated political culture, and we will be left with chronic explosions of anti-incumbent sentiment and independent celebrity bids for office as the only alternatives to the duopoly. Chapter 9 looks at the New Party's local victories and ultimately unsuccessful Supreme Court bid to revive the nineteenth century practice of fusion, or cross-endorsement. Chapter 10 shows what a thriving modern third party might look like if more states were to follow New York's example of allowing fusion, with a detailed portrayal of the state's newest and most promising minor party, the Working Families Party.

What Works and What Doesn't

Fish need to be their own oceanographers—especially those that want to travel through turbulent waters and reach safe harbor. So before plunging into the narrative of third-party activity in America from the 1990s to the present, let me offer some guideposts. A general clarification is needed first. Though most people commonly think of parties as national organizations, nearly all party building happens at the state and local levels. Third parties get the most attention when they run someone prominent for president, and a presidential campaign may be a good way for a party to advertise its message to a large number of voters all at once and to identify pockets of concentrated support. But thanks to America's federal system, almost all the work of constructing a party—getting a line on the ballot, registering voters into the party, building chapters, nominating candidates, raising money, qualifying for public subsidies, holding annual conventions—takes place at the state level, under laws that vary greatly in their receptiveness to new political projects. Thus, third-party prospects are greatly influenced by local conditions beyond their control. Across the country, branches of a particular third party can also differ a great deal in their internal makeup. This has been most true of the Reform Party, which began in some states as a spontaneous, grass-roots outgrowth of Ross Perot's 1992 campaign, and in others as a centrally driven product of Perot's wallet. But Greens and New Party chapters also have their idiosyncrasies, shaped by local conditions and accidents of history.

Third parties succeed when people get elected under the party's banner or the party's candidate gets enough votes to affect the larger political debate and change people's political awareness. A third, more subjective measure of success is when a third party shows that it is not a flash-in-the-pan phenomenon but actually builds an enduring organization that is self-supporting and growing. Third-party failures are equally interesting (and far more prevalent). Instead of focusing outward on talking to voters and trying to convince them to support a new political direction by backing their candidates, third-party activists often turn inward. A core group of devotees is often enough to keep a third-party project going for quite some time without any meaningful victories at the ballot box. Success comes to be defined in other ways, such as winning internal leadership fights or ideological arguments. These may give activists some satisfaction, but they do little to reach a larger public. Starting on the

periphery of politics, many third-party activists thus unwittingly participate in their own self-marginalization.

The fact that a party has a line on the ballot, an organizational structure, and maybe even a little media attention can make its supporters think it exists in the more meaningful sense of reaching voters—when actually it is not. Of course, minor political parties can serve other purposes, giving their members a sense of identity, like small churches and obscure clubs. Scholar J. David Gillespie refers to these groups as "continuing doctrinal parties" because they derive their support "more from their activists' faithful commitment to party doctrine or creed than from any genuine hope of electoral victory."²⁰ The idea of "bearing witness" against a corrupt and seemingly impenetrable political system can be noble. But it is usually not very political in the sense of actually affecting the direction of the country. That requires a willingness to engage in dialogue with real voters, not just true believers, no matter how hard that may be. So one critical element of third-party growth is whether the party's activists are outward focused (on winning elections or moving issues) or inward focused (on often irrelevant organizational or ideological battles).

Once a third party enters the electoral playing field, there are many factors —external and internal—that affect its potential. These include legal requirements for getting and keeping a place on the ballot, the timing and intensity of election contests, whether races are partisan or nonpartisan, limits on voter registration, access to public subsidies for candidates or parties, and whether the party is allowed to cross-endorse (or fuse with) other party's candidates. Third parties have to clamber through many discriminatory hoops just to get their candidates on the ballot. To take one extreme example, in a number of states the deadline to turn in petitions is so early that activists have to be out on the streets in the dead of winter. This test of endurance is all the more appalling when you realize that most private shopping malls and businesses legally prohibit petitioning on their property. People can no longer even circulate petitions on the premises of post offices.²¹ Thus the sheer costs of getting on the ballot are a constant problem for many third-party efforts. Most states also require that voters register well before Election Day, another hindrance to outsider bids that often don't catch people's attention until the final weeks of campaigning. Of the six states that allow Election Day voter registration, four (Maine, Minnesota, New Hampshire, and Wisconsin) also have significant levels of third-party activity. A correlation also exists between the availability of public financing and third-party strength. Of the nineteen states overall that offer some form of public subsidy to candidates and/or parties, twelve have seen recent or ongoing surges of third-party activity.²²

In addition to these kinds of structural, fixed factors affecting the climate for third-party organizing, there are also more variable, fluid conditions at play. These include changing local economic circumstances, the quality (or lack thereof) of the major party candidates, the dynamics of competition between the two major parties, the chances of recruiting an already prominent candidate (even a refugee from the major parties) to run on the third-party line, and local demographic changes. People often turn to third parties when the major parties are seen as failing. An economic downturn or a spate of scandals involving local politicians may give a third party an opening, particularly if the major party that is not in power is not very active, or if it is possible to credibly pin blame on both major parties. Economic growth can also upset existing political balances, particularly if its benefits are not spread evenly. Then there are the opportunities that arise as the public turns away from some of today's harsh campaign tactics. In races in which the two major-party candidates spend most of their time focused on negative attacks on each other, a third-party candidate can benefit from a "pox-on-both-your-houses" reaction.

Separate from these external factors are the internal choices that third-party activists make themselves. Parties need leaders, activists, and adherents. Leaders represent the party on the ballot, in the media, and stand in the forefront of internal decision-making. Activists, who are usually volunteers but also can be paid organizers, do nearly all the nuts-and-bolts work of building the party, supporting its candidates, spreading the word, participating in its internal structures, and so on. And adherents are the base of voters, generally passive, who mostly express their support by voting for the party's candidates, and sometimes make a financial or other contribution to the party's efforts. But there are many different ways to combine these ingredients, some more successful than others. A

party can be built around charismatic leadership, a common vision, or the plain old self-interest of its members (with a membership and decision-making structure that reflects real levels of individual and institutional affiliation).

Parties also have to make choices about where they want to position themselves on the political spectrum, what kind of issues to emphasize, and whom to aim their efforts at. The three third parties to be explored in this book have each pursued a blend of strategies. There is the "nonideological" approach that portrays the two major parties as out of touch, with the third party in the sensible middle. There is the more explicitly ideological effort to rally either the left or the right against the two-party establishment. And there is the populist call to the bottom against the top. These appeals can be aimed broadly at the whole populace or in a more targeted way at constituencies that might be more sympathetic, such as people in the declining middle class, the urban poor, students, talk-radio listeners, working-class people living in inner-ring suburbs, even readers of specific political magazines. Organizing a real base—voters, volunteers, and donors—is the toughest challenge that third-party activists face. But it is only when they face that challenge that today's third parties have a life in American politics beyond acting as momentary repositories for the electorate's unhappiness with the status quo.

A close look at the trajectories of the Reform Party, the Greens, and the New Party shows that each has strengths and weaknesses. In chapter 11, I conclude with a look at the prospects for the future. As I write, leading actors like Nader and Ventura are laying in their plans for 2002 and 2004, Greens and the remnants of the Reform Party are trying to move ahead, and the New Party and Working Families Party are still hoping to export their model to more states. The future of America's third parties is still open. If they are to be successful, what's needed is serious attention to what works and what doesn't.

Chapter 8 The Duopoly Strikes Back

“Uncluttering” the Playing Field

Just as the media and Nader himself were raising the bar at the Greens national convention in Denver in June 2000, the Democrats and Al Gore took their first moves to lower the boom on the troublesome maverick. For the most part, Gore's supporters had said little about him through much of the spring,¹ with the exception of liberal Massachusetts congressman Barney Frank, who set to work early at corralling progressives for the vice president.² But as the polls showed Nader on the rise, the Gore team responded with a two-pronged strategy reminiscent of their treatment of Perot in 1993. First, Gore tacked left. For example, on the same day of Nader's acceptance speech in Denver, the Gore campaign went after "Big Oil," promising to go after its "stranglehold" on the economy by promoting more clean energy sources and greater efficiency. Sounding like a Nader acolyte, Gore spokesman Chris Lehane said, "The entrenched interests want to protect the status quo, and the apologists for these interests say that we simply cannot have a clean environment and affordable energy at the same time. They say we can't do this. Al Gore says we can."³

A few days later, Gore expanded his neopopulist rhetoric to take on the big pharmaceutical companies as well. His new line, repeated again and again in stump speeches, was "The question is whether you're for the people or for the powerful." Enlarging this theme, he went after the Republican Congress for blocking needed reforms like prescription drug benefits or a patients' bill of rights at the behest of wealthy special interests, and said those same interests were bankrolling George Bush's campaign.⁴ Republican commentator William Kristol observed, "Ralph Nader may well have made Al Gore a better presidential candidate. He has forced Al Gore to be more populist." Kristol added, "The response to Nader has energized the Gore camp. The last ten days have been the first time since the primaries that you watch the evening news and think, 'Hey, Gore is on the offensive.'"⁵ Indeed, Gore's poll numbers rose each time he turned on the "populist" juice. His problem was that, thanks to his own conservatism and his need to succor his financial sponsors, he always pulled back and avoided talking about any kind of systemic changes.⁶

Gore and his allies also went on a different kind of offensive, seeking to discredit Nader. At the end of June, news broke that he had recruited Toby Moffett, a former member of Congress from Connecticut who had once been close to Nader, to help line up progressives against the Green candidate. Moffett and Nader were both of Lebanese extraction, their fathers were friends, and in 1971 Moffett had founded the Connecticut Citizen Action Group with Nader's support. Moffett, now a lobbyist for Monsanto, the agriculture multinational, advised not attacking Nader directly. But that didn't stop Gore loyalist Harry Reid, Democratic senator of Nevada, from going to the press to charge that "Ralph Nader is a very selfish person, and he's on an ego trip." Reid added, "He has no respect for the process."⁷ Whether or not this line was inspired by the Gore campaign, it was soon adopted and spread in a big way by the editorialists at the *New York Times*, who unloaded with the first of several frontal attacks on Nader and his campaign.

Called "Mr. Nader's Misguided Crusade," the paper's lead editorial on June 30 charged him with "engaging in a self-indulgent exercise that will distract voters from the clear-cut choice represented by the major-party candidates, Vice President Al Gore and Gov. George W. Bush." Picking up on Senator Reid's remarks, the *Times's* editors blamed Nader's run on "ego." (Considering that Nader could barely bring himself to speak in the first person while on the stump, traveled economy class, and lived on a pittance, this was a bizarre accusation.) While admitting that Nader might "enliven" the public debate on many issues, the paper contradicted itself, arguing that the Nader candidacy could only "cloud" the "main election choices." "[G]iven the major differences between the prospective Democratic and Republican nominees, there is no driving logic for a third-party candidacy this year, and the public deserves to see the major-party candidates compete on an uncluttered playing field." Though the paper did say that it respected Nader's right to run, its real message was just the opposite. Social critic and *Nation* columnist Christopher Hitchens put his finger on it later, calling the

Times's position the exact reverse of Voltaire's: "I respect what you have to say, but I will fight to the death to prevent you from saying it." Nader's response to the *Times's* censorious editorial was captured by *Harper's* editor Lewis Lapham, who happened to be visiting him that day for a magazine profile. "You've got to love these people," he said to Lapham. "They think the American electoral process is a gated community."⁸ But soon everyone was taking potshots at Nader.⁹

Between Gore stealing his thunder and liberals poo-hooing his candidacy, for the rest of the summer Nader's rise in the polls was blunted. In a bid not to be completely swamped by the hoopla of the Republican and Democratic conventions, his campaign launched its first TV ad in early August. A spoof on the Mastercard "Priceless" ads, the Nader ad (produced by Bill Hillsman) portrayed Bush and Gore as bought and paid for by special interests, and showed the Green candidate doggedly working at his desk, ferreting out "the truth." It also made the point that if Nader were not included in the presidential debates, truth would be the casualty. The campaign spent \$800,000 on the ad, a huge portion of its budget. And its timing wasn't bad, as Gore's selection of Connecticut's Senator Joe Lieberman as his running mate, one of the two or three most conservative Democrats in the Senate, had effectively nullified most of his bashing of big business. (Gore's claim to be fighting for the people against the powerful rang hollow after his operatives overwhelmingly rejected proposals for the party platform supporting universal health care, a moratorium on the death penalty, penalties for corporations that pay low wages, tougher rules for international trade, and increased spending for the poor.) But after another populist blast from Gore in his acceptance speech, Nader's poll numbers dropped from 6 to 3 percent. His staff argued to him that the money had been well-spent and had kept him on the playing field.¹⁰ But all Nader noticed was that for \$800,000, his poll numbers had been halved. That experience soured him on spending much more money on paid advertising.

The campaign did get a second breath of life in September, as the super-rallies began to take off and all the new staff that had been hired over the summer finally got into gear. Regular e-mail alerts started to appear that gave supporters a host of volunteer tasks to perform and even suggested a message of the week. "Corporate Clean-Up" vans fanned out across the South seeking to drum up support where the Greens were weakest. And hundreds of student chapters formed. At Boston University, for example, two sophomores founded a Green Party chapter in mid-September; six weeks later they had at least forty hardworking members who managed to pull together a Nader rally on two days' notice. I had a chance to speak with this group of activists as they waited to take a group photo with the candidate and was struck by one thing: all of them were freshmen or sophomores. Unlike many campus political groups, which take time to grow and are usually led by upper classmen, this was a fresh outpouring of new energy.

The focus of this energy was the presidential debates, the last choke point protecting the two-party duopoly from serious competition. In January, the Commission on Presidential Debates—a private body set up and controlled by the two major parties—decided that a candidate had to have at least an average of 15 percent support across five national polls in late September in order to be invited to participate. The commission claimed this standard would ensure that the public would hear only from those candidates with a serious chance of winning the presidency, but this was a transparently silly excuse. For one, it was not impossible with a candidate with a lower standing in the polls to win: Ventura was hovering around 10 percent when he joined Skip Humphrey and Norm Coleman in their debates, and in 1992 Russ Feingold—the eventual senator from Wisconsin—won a three-way primary three weeks after polling at just 10 percent.¹¹

The debate commission had perpetrated, as the League of Women Voters had warned when it disassociated itself from the commission in 1988, "a fraud on the American voter."¹² If 15 percent had been the threshold, Jesse Ventura, Ross Perot, and John Anderson would have all been excluded from debates that they participated in the years they ran for high office. Besides, if having a serious chance to win the presidency was the most important criterion, why did the commission invite Bob Dole in 1996, even though he had never led in the polls and most knowledgeable observers wrote off his chances? The claim that having more than two candidates would confuse voters was also ridiculous. The public had tolerated—nay, it had enjoyed¹³—the participation of a half-dozen or more candidates in the Republican presidential primaries of 1999-2000, as well as similar encounters of

Republicans and Democrats in 1996 and 1992. More voices meant more views and, ultimately, greater voter participation.

Jamin Raskin, a professor at American University and the lawyer who led Perot's 1996 and Nader's 2000 legal challenges to the commission's authority, put his finger on the problem. "The question the commission uses to determine who debates shouldn't be 'Who do you plan to vote for?' The question should be, 'Who would you like to see in the debates?'"¹⁴ In fact, more than half the public supported Nader's (and Buchanan's) inclusion in the debates.¹⁵ As Raskin wrote in a seminal essay he titled "The Debate Gerrymander," "The whole point of a political campaign period is to allow candidates — through popular appeals, organizing and debates—to change public opinion."¹⁶ Control over access to the debates really was a form of mass mind control. But these arguments had no impact on the commission, which had never really had an open mind about the issue.¹⁷ The Nader campaign filed a lawsuit seeking to block corporations from donating money to the commission under the argument that this was an illegal corporate contribution to the Bush and Gore campaigns. Beer giant Anheuser-Busch was the sole sponsor of the final debate in St. Louis, for example, and critics also noted that the commission's corporate sponsors were all predisposed to favor free trade, a topic on which there would be no debate if Nader (and Buchanan) were excluded, since Bush and Gore marched in lockstep on that issue. But the lawsuit also made no headway.¹⁸

So there was nothing left to do but turn to the streets. Nader followers turned to nonviolent civil disobedience, occupying the offices of the debates commission in Washington, D.C., and the state Democratic Party headquarters in Madison, Wisconsin. But the main action was in Boston, where twelve thousand Nader supporters paid \$10 each to rally at the Fleet Center two days before the first debate. This was just a warm-up. Many more came out the night of the debate at the University of Massachusetts/Boston campus to voice their dismay. They were met by members of an Iron Workers Union local who had been mobilized by state union leaders backing Gore. Many ugly confrontations ensued, with Greens spat upon, cursed, and roughed up, all in full view of the police, who did nothing. One Green who tried to defend her comrades from verbal and physical abuse was incensed by the cops' lackadaisical attitude. That night, she e-mailed an angry message to her friends. "The police protect their own cronies, and the system protects its own as well," she wrote. "I don't want to sound like a nut, but if you want to feel powerless, try having a voice against the established power structure and see how quickly people turn on you and label you an Enemy (or a commie dyke, if you're lucky). You will not be who you know yourself to be; you will become a threat, a criminal, and you will not be protected. When huge men knock down women while the police turn a blind eye and riot police mace skinny kids for waving a sign on the wrong side of a fence, your perspective changes pretty dramatically."¹⁹ As a barely organized party with no real power, the Greens had little pull with local authorities; nor did they have much ability to coordinate their own loosely connected troops in any self-protective manner.

And while Greens were getting their own bitter taste of power realities outside the debate, inside at the entrance to the viewing hall Nader was being insulted as well. A college student had given him his ticket, which entitled the holder to a seat not in the main auditorium, but in a side viewing area. Despite this and the fact that he had been invited onto the premises by Fox News in order to participate in a live postdebate commentary, Nader was blocked from entering the area by a private security consultant working for the debates commission, backed up by three state troopers. According to Nader, the consultant "told me that he was 'instructed by the commission' to advise me that 'it's already been decided that, whether or not you have a ticket, you are not invited.'" Nader backed off, not wishing to risk arrest, but quickly moved to make the most of the sordid encounter. He charged the debate commission with violating his civil rights and, after an offer to settle was ignored, sued in federal court in Boston. The case will go to trial sometime in 2002.²⁰

Media watchdog groups like Fairness and Accuracy in Reporting (FAIR) were outraged by Nader's exclusion. But few, if any, of the many journalists and pundits who were so upset a few months later at how the "sanctity" of democracy was violated in Florida ventured more than a shrug of perfunctory protest at the commission's behavior. A rare exception in a mainstream outlet came from iconoclast Philip Weiss in the *New York Observer*, who admitted that his support for Nader was making him an

unpopular figure at Manhattan dinner parties. "Eight years ago, Ross Perot believed that Republican operatives had invaded his daughter's wedding," Weiss noted, "and he got to be in the debates. Ralph Nader is one of the most powerful minds in America— and he can't even get into the spin room."²¹

Crunch Time

While Nader's exclusion from the bipartisan-sponsored debates was a foregone conclusion, the impact was not. Pollster John Zogby detected a modest "surge" in his public support in the immediate aftermath of the Boston debate, undoubtedly a product of all the publicity from the protests as well as a sign that some voters were disappointed enough with Bush's and Gore's lackluster performances to look elsewhere.²² Nader sidestepped the second debate, but attempted to view the third debate in St. Louis, where he was again physically excluded, despite holding a press pass to enter the debate compound to be interviewed.

Something was beginning to go right for the campaign. Just weeks before the election, despite being locked out of the presidential debates, with i percent of the money and i percent of the media attention, Nader experienced a notable rise in the polls. He was at 6 percent in California,²³ 7 percent in Wisconsin,²⁴ 8 percent in Minnesota,²⁵ 8 percent in New Jersey,²⁶ 8 percent in Rhode Island,²⁷ and 10 percent in Oregon.²⁸ A mid-September poll put him at 17 percent in Alaska.²⁹ Not only that, donations were pouring in at a faster rate than anyone had expected. One in seven voters was still undecided, a sign of ambivalence about Bush and Gore and an indication that Nader could rise further.³⁰

But with the race between Gore and Bush still as tight as ever, the attacks on Nader and his supporters were becoming more passionate and widespread. The heat started with feminist leaders like Patricia Ireland, of the National Organization for Women, and David Smith, spokesman for the Human Rights Campaign, the nation's largest gay rights organization, charging that he was indifferent to the threat of a Bush victory.³¹ (Ironically, Ireland had herself been a supporter of NOW's initiative to create a progressive third party back in the early 1990s, as an alternative to the Democrats' right-ward drift. And in 1996, after President Clinton signed the "welfare reform" bill, Ireland was one of several activists who went on a hunger strike in protest. Now she was corralling voters for the very man, Gore, who bragged about his role in pushing Clinton to sign that bill.) Gloria Steinem, another Gore supporter, took to visiting campuses and reading her "Top Ten Reasons Why I'm Not Voting for Ralph Nader (Any One of Which Would Be Enough)."³² And a group of about a dozen former Nader's Raiders went public with a call to their former boss to pull out of the race.³³

But this was nothing compared to the fear campaign whipped up by Gore and his allies as the election came to a close. Everything that Carol Miller had seen in her congressional campaigns in New Mexico was repeated, only on a much larger scale. The National Abortion Rights Action League spent at least \$1.5 million on TV ads declaring that a woman's right to choose was endangered and warning that a vote for Nader equaled a vote for Bush. NARAL's ad said: "If you're thinking of voting for Ralph Nader, please consider this. This year, a five-to-four Supreme Court decision narrowly protected *Roe vs. Wade*. As president, George W. Bush would reverse the court, with antichoice justices Scalia and Thomas in control." NARAL concluded, "Voting for Ralph Nader helps elect" Bush, so "before voting Nader, consider your vote. . . . It's your choice." On the screen, photos of Nader and Bush subtly inched toward each other with a photo of the court in the background.³⁴

The Sierra Club and the League of Conservation Voters piled on with ads of their own stating the differences between Gore and Bush that avoided naming Nader but implied that a vote for the Green would lead to more despoiling of the environment. And the liberal organization People for the American Way ran an ad playing off of Nader's parody of Mastercard: The ad opened with an announcer saying, "Nine black robes: \$945. One wooden gavel: \$14. Forty years of influence over our freedoms: Priceless." The announcer went on to discuss Bush as a candidate who opposed "choice, gun control, and strong environmental protections," and then described Gore as a candidate who "favors justices who are pro-choice, support gun safety laws and environmental protection." The ad

ended with a veiled question for Nader voters — "with our freedoms at stake, shouldn't you cast a vote that really counts?"³⁵

Some Nader supporters tried to make a nuanced response. Steve Cobble, an adviser to the campaign, wrote a widely circulated article arguing that in the great majority of states, people could vote their conscience. The reason: electoral votes are cast by state, and it's winner-take-all in each state (except Maine and Nebraska). "Thus, a Nader vote has no chance of 'spoiling' the outcome for Al Gore," Cobble wrote, "unless it potentially changes the outcome within that state." Cobble pointed out that in about thirty-five states, either Bush or Gore was so far ahead that the other wasn't bothering to campaign there. (He was right. According to the *National Journal*, neither Bush nor Gore visited Idaho, Utah, Montana, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Mississippi, South Carolina, Hawaii, Delaware, or Vermont between April 1 and the election. In addition, there were a grand total of six presidential TV ads run in four of the nation's top eight media markets—Boston, Dallas, New York City, and Washington, D.C.—while more than sixty-five hundred presidential ads aired in just eight media markets in so-called "battleground" states.)³⁶ Those thirty-five were "safe" states in Cobble's view. In others, he suggested following columnist Molly Ivins's advice, which was to check the polls just before Election Day, and if it was close, to vote for Gore to keep Bush away from the Supreme Court, but otherwise, to vote for Nader.³⁷

Nader himself endorsed this approach, contrary to the widespread impression that he didn't care who won the election or even favored Bush's victory. Of course, he never directly said, "vote for Gore instead of me," and he was quite vociferous in arguing that no candidate could assume any vote was "his," that they all had to earn their votes, and that as someone seeking to build a new party he was obviously in the business of trying to win every vote he could get. But he often told questioners that he wasn't bothered by so-called tactical voting. "If a Sierra Clubber wants to engage in tactical voting," he told an audience at Chico State University in California on October 23, "then wait till one or two days before, check the polls, and if Gore is 10 or 15 points ahead, then vote for the Green Party to create a powerful new watchdog party with a far better record on the environment." The day before, he gave a very similar answer at a press conference in Oakland.

Nevertheless, many attackers paid no attention to what Nader was actually saying. The editorial writers at the *New York Times* unloaded on him not once but twice in the two weeks before the election. First they charged him with "willful prankishness" for continuing to run, claiming that they would see his insolence "as a disservice to the electorate no matter whose campaign he was hurting." This seemingly nonpartisan and dispassionate statement was followed by a lengthy description of Gore's virtues, and how much better he would supposedly be on a few issues of concern to Nader voters. "[Nader] calls his wrecking-ball candidacy a matter of principle, but it looks from here like ego run amok," they concluded.³⁸ Barely a week later, the *Times* led its editorial with a direct personal assault on talk-show host Phil Donahue, and praised his wife, Marlo Thomas, for scolding him for backing Nader. "It is past time for everyone, including Mr. Gore, to get tougher on Mr. Nader," they editorialized. Citing no evidence, they added, "He is being more open these days about his willingness to throw the election to Mr. Bush and his desire to damage the Democratic Party."³⁹ Considering that the *Times* editorial board never extended Nader the courtesy of inviting him in for a formal meeting, it seemed as if the paper's editors didn't want to bother with finding out directly if their own rhetoric about Nader was true.

Neither did a prominent group of academics and writers, who announced they were "appalled" at Nader's "wrecking-ball campaign" and charged that he "will do anything and say anything" to reach his goal of 5 percent. Their statement, published in the online journal *Salon*, claimed falsely that given a choice of Bush or Gore, Nader had said he would vote for Bush, and incorrectly charged him with favoring the ending of all U.S. aid to Israel.⁴⁰ These Gore supporters were of course entitled to their views. But as self-proclaimed "Concerned Scholars, Writers and Activists," they were awfully quick to charge Nader with "Orwellian utterances" that dissolved under the slightest inspection. For example, in mid-August, after Robert F. Kennedy Jr. wrote in an op-ed for the *New York Times* that Nader had said he would vote for Bush,⁴¹ the paper published a letter from Nader saying "I have never said that I would vote for George W. Bush, whom I have strongly criticized across the country, if forced to

choose between him and Al Gore. Indeed, I have never stated for whom I have ever voted or expect to vote since the 1960s, though it can be assumed that I will vote for the Green Party candidates this year."⁴² And while the Association of State Green Parties issued a release October 24 endorsing a United Nations resolution condemning Israel's handling of the Palestinian protests and calling for an end to U.S. aid to Israel until the country agreed to withdraw from the occupied territories and recognize the Palestinians' right of return, this statement went beyond Nader's own position on the conflict.⁴³ Nader was against any immediate aid cutoff, arguing that it would reduce U.S. influence and only embolden the Israeli right. At most, he talked about eventually phasing down economic aid to the country, citing former Prime Minister Benjamin Netanyahu's support for the notion.

If Nader really wanted to try to deny Gore any chance of election, then the best evidence for that incendiary charge would be found in his campaign itinerary. Some Nader critics charged both during the election and afterward that the proof of Nader's malice was his concentration on battleground states in the race's final weeks. For example, a reporter for the *American Prospect*, a liberal magazine, claimed that "in the final week, Nader is campaigning exclusively in those states in which his candidacy has a realistic chance of flipping the state from Gore to Bush."⁴⁴ Actually, he spent the last seven days of the campaign in Wisconsin, Colorado, California, Florida, D.C., New York, Massachusetts, New Hampshire, and Maine. Of those nine, all but Wisconsin, Florida, and New Hampshire were considered safe Gore states by most experts.

In fact, in the final weeks of the election, Nader and his top advisers were torn about where precisely to focus their energies, not because they wanted to defeat Gore but because they wanted to maximize their own vote. Steve Cobble, the strategist with the most experience in past elections (he had run Jesse Jackson's delegate operation in 1988 and had worked on Carol Moseley-Braun's and Toney Anaya's successful campaigns in Illinois and New Mexico), sensed earlier than most that Nader was in real danger of falling short of his bottom-line goal of getting 5 percent of the vote. "They're ignoring him to death," he said in late September, bemoaning the media's spotty coverage of the campaign. And he knew that Gore's populist posturing was still robbing Nader of support. "Prescription drugs and 'I'm for working families' shouldn't have worked so well for Gore," he noted, "but there was no way to answer in the 499 out of 500 places a day where Ralph wasn't."⁴⁵ Nader, of course, was running no paid advertising during most of this period. And as many as half of his supporters were telling pollsters that they might switch their vote.⁴⁶ Cobble was well aware how the fear of a Bush victory could cost Nader support. "When the conversation is about spoiling it increases the nervousness of half our vote," he said. Former Perot supporters didn't care, nor did young people, he reasoned. But liberals were another matter. So Cobble urged that Nader focus on safe states. "A liberal in Austin [Texas] is worth more to us than a liberal in Madison [Wisconsin]."⁴⁷

But others in the campaign thought that Nader couldn't stop visiting the battleground states, for two reasons. One was pragmatic. They feared if he went where the national media weren't, he would drop totally off the news. And the media were focused almost entirely on what was happening in the dozen or so swing states in the final weeks. The second reason was that they had a real base in many of those states, and it was under attack. Not only were Nader voters in states like Oregon, Washington, Minnesota, Wisconsin, and Michigan being hit by a deluge of left-leaning Democratic surrogates including Rev. Jesse Jackson, Senator Paul Wellstone, and Representatives Barney Frank, Maxine Waters, John Conyers, Nancy Pelosi, George Miller, Tammy Baldwin, Jesse Jackson Jr., Jan Schakowsky, and John Tierney,⁴⁸ they were under a hailstorm of negative ads designed to scare them into backing Gore.⁴⁹ Some were also dealing with a daily barrage of physical intimidation. Nader needed to go into those states not just to defend his base, but to stand by the people who were standing by him.

Late night in a dressing room backstage after his Oakland super-rally on October 21, Nader debated these options with a circle of trusted aides, including Greg Kafoury and Mark McDougal, the super-rally organizers; Ross Mirkarimi, a savvy Green from San Francisco who was his California campaign director; and Tarek Milleron, his nephew. Nader had written out a draft plan for the last two weeks that he called his "ideal itinerary." Starting on October 25, when he would be back in D.C. after

finishing the remainder of his trek through California (plus a stopover in Arizona), it continued as follows (the notes after each date are Nader's):

October 26: Ohio
October 27: Iowa (5000 rally in Iowa City)
October 28: New York/New Jersey (Cooper Union, 5000 rally in NJ)
October 29: DC (rest)
October 30: DC (calls)
October 31: Michigan/Minnesota (Dearborn, Nightline in St. Paul)
November 1: Wisconsin (10K rally in Milwaukee)
November 2: California (15K L.A. super-rally)
November 3: California (rest)
November 4: Colorado (Boulder 5000 rally)
November 5: DC (MCI Center super-rally)
November 6: Florida (Tallahassee) November 7: DC

Nader's draft was shaped by several variables. He needed to be in D.C. at his campaign headquarters to deal with all kinds of last-minute decisions. On October 30, the staff had also scheduled a bloc of long-distance conference calls with various constituencies and interviews with the international press. *Nightline* had arranged for a town hall meeting with Nader and Minnesota Governor Jesse Ventura on October 31. Though Nader had snubbed Ventura earlier in the fall by not appearing at an "all-candidates" debate that the third-party governor had hosted at the end of September, there was no way he would miss this one-on-one encounter. The D.C. super-rally was also critical, even though the campaign's top staff were terrified that it would be a bust. Nader needed to rest, and he preferred to stop either in D.C. or at his sister's in the Bay Area. And Florida was on the schedule, even though Nader had never broken above 5 percent in state polls, because it was rich in votes. Nader's aides had noticed that after one trip to the state earlier in October, their numbers had doubled from 2 to 4 percent statewide. In the country's fourth-largest state, that was a lot of voters.

But this wasn't the final word. A number of Nader advisers argued that his plan left out visits to strongholds in the Northeast like Connecticut, Vermont, and Massachusetts. They prodded him to make at least one stop somewhere in the Pacific Northwest, another place where his polls had been strong. They argued that he had to give up on the rest days. And they urged him to skip Florida—especially on the day before the election, arguing that it was too late, he would be swamped by the closeness of the Gore-Bush fight there, and no one would pay attention. (They also pushed him to get his running mate, Winona LaDuke, out to Alaska, Hawaii, and Indian reservations across the mountain states. But LaDuke, who had had her third child early in the year, was a part-time campaigner at best.)⁵⁰

Ultimately, Nader spent the last two weeks of the election campaigning (in this order) in D.C., Ohio, Iowa, Pennsylvania, New Jersey, New York, back to D.C. (two days), Michigan, Minnesota, Illinois, Wisconsin, Washington, Colorado, California, Florida, back to D.C. and New York, then Massachusetts, New Hampshire, and Maine. He finished on Election Day with a brief stop in front of the Liberty Bell in Philadelphia. Compared to the draft he had proposed in Oakland, he had cut out a rest day, and added stops in Illinois, Pennsylvania, Washington, Colorado, New York, Massachusetts, New Hampshire, and Maine. Florida was still on the schedule, but moved back from the day before the election. Half of these states were still in play between Bush and Gore, and the rest were not.⁵¹ In terms of actual time in each state, Nader spent roughly about 40 percent of his precious final two weeks campaigning in battleground states. Had he simply wanted to deny Gore the election, he could have campaigned solely in the Rust Belt states of the Midwest and Pacific Northwest. Instead, he tried to go where the most votes were and where the media were, and let the chips fall where they may.⁵²

The Aftermath

In the end, Nader's support crashed, just as he had worried. Most of his supporters were cowed by the Democrats' scare campaign, big-time. Fear won out over hope. And this was true not only in battleground states like Oregon (where he got 5 percent), Minnesota (5 percent), Washington (4 percent), New Mexico (4 percent), and Wisconsin (4 percent). The Nader vote also withered in safe states like California (4 percent), New York (4 percent), and Connecticut (4 percent), which Gore won by 11, 25, and 17 points, respectively. Only in a handful of states did Nader beat his 5 percent goal: Republican-dominated Alaska (10 percent); Vermont (7 percent), where Anthony Pollina's strong third-party candidacy helped; heavily Democratic Massachusetts and Rhode Island (each 6 percent); and independent Maine (6 percent). In Texas, another safe state because of Bush's insurmountable lead (he won it by 21 points), Nader got just 2 percent. The Democratic chestnut, that Gore was less evil than Bush, won out. And among independents and young voters, the two groups least susceptible to that argument, Nader did not do well enough to make up the difference he needed to get to 5 percent. The Voter News Service exit polls suggest that most of Nader's votes came from young people and students, with a smattering of older independents and progressives. He got 5 percent of the eighteen- to twenty-nine-year-old vote, 6 percent of the independent vote, and 6 percent of the self-identified liberal vote. By comparison, very few self-described conservatives (1 percent) or moderates (2 percent) tilted his way. Another indication of the leftist skew of his base: of the 9 percent of the electorate that thought Gore's positions were too conservative, Nader got one in ten votes. This was a dramatic shift for Nader from 1992, when he campaigned in the New Hampshire primary, asking voters to write his name in "as a stand-in for 'none-of-the-above'" and as a protest vote for political reform. That year, he received 2 percent of the Democratic vote and 2 percent of the Republican vote." Of all subgroups, people who voted for Perot in 1996 were most likely to vote for Nader; he received 7 percent of their votes. In doing so, he undoubtedly took some votes that otherwise would have gone to Bush, who won most Perot '96 voters.

While Nader did slightly better than his overall 3 percent showing with voters making less than \$15,000 a year, his 4 percent tally with this group was undoubtedly a reflection of his base among college students rather than any connection to the urban poor. Nationwide, he only got 1 percent of the African-American vote, a sign both of this group's strong Democratic loyalties and Nader's late and weak attempts to reach them. He got only 1 percent of the African-American vote in D.C., for example, while getting 5 percent overall there. (Gore won the district with 86 percent of the vote.) And in states with large university populations, he did markedly better with voters under the age of twenty-nine, accounting for 16 percent of the votes in Massachusetts, 10 percent in Wisconsin, and 8 percent in California.

Perhaps the toughest indictment of Nader's campaign came from Eric Alterman, a Gore supporter who was a columnist at *The Nation* magazine. He wrote: "This nascent leftist movement has virtually no support among African-Americans, Latinos or Asian-Americans. It has no support among organized feminist groups, organized gay rights groups or mainstream environmental groups. To top it all off, it has no support in the national union movement. So Nader and company are building a nonblack, non-Latino, non-Asian, nonfeminist, nonenvironmentalist, nongay, non-working people's left: Now that really would be quite an achievement."⁵⁴ But Alterman's heated charge overshot the mark. While it was true that Nader did worst among African-Americans and Latinos (2 percent), his Asian-American support equaled his white support at 3 percent. Gay voters did not abandon Nader either, giving him 4 percent of their vote nationwide and significantly more than that in some states (in Oregon, he got 12 percent of the gay/lesbian vote). A few national unions —the United Electrical Workers and the California Nurses Association —endorsed Nader, contrary to Alterman's claim. And he got 3 percent of the vote of union members, the same as his national average.⁵⁵

The geography of Nader's support shows he mainly did best in the cultural enclaves that already defined the Greens' base for local races: progressive university towns like Gainesville, Florida; Athens, Georgia; Austin, Texas; Madison, Wisconsin; Chico, California; Lawrence, Kansas; Columbia, Missouri; Iowa City, Iowa; and Lexington, Kentucky.⁵⁶ This is not to say that Nader only did well in

outposts of the counterculture. In the Minnesota Iron Range, an old labor stronghold, he got between 6 and 10 percent, though the Democrats' scare tactics pushed his numbers down in Flint, Michigan. In a number of states —Minnesota, Wisconsin, Kansas, Colorado, Montana, as well as the Pacific Northwest and New York and New England —his base was evenly spread across urban, suburban, and rural centers. Overall, however, Nader's support was concentrated in just one-quarter of the nation's counties.⁵⁷ (For a four-color map showing Nader's county-by-county vote, go to www.spoilingforafight.com.)

For leaders of the Green Party, Nader's showing still contained many positives. As a result of the campaign, new Green parties were taking root in conservative states like Nebraska, Kansas, Utah, Montana, and Mississippi and growing at healthy rates in Texas, Wisconsin, Connecticut, Minnesota, Iowa, and Pennsylvania. In Wyoming, Idaho, and Indiana, three states where Nader failed to get on the ballot, his write-in total broke national records; in a few counties in Wyoming, he actually got more than 7 percent of the vote in write-ins.⁵⁸ A record number of eighty Greens held elective offices, and a few Democratic officeholders decided to switch parties.⁵⁹ The California Green Party's registration level was up by a third. Nader's 6 percent showing in Rhode Island and 5 percent in Minnesota were high enough to qualify the state party for public matching funds for its local candidates. In San Francisco, a Democrat running for supervisor, Matt Gonzalez, announced his party switch and still won a resounding two-thirds majority of the vote in a runoff race against a candidate backed by incumbent Mayor Willie Brown. The Association of State Green Parties was close to having active affiliates in thirty-nine states, and they had official lines on the ballot in a total of twenty-three, up from ten after the 1996 election.⁶⁰ Green parties in other countries also benefited as in many cases there was more coverage of the Nader campaign in their local press than there had been of their own candidates. These were important consolations. But questions about the wisdom of putting so much energy into presidential politics still remained.

Was the Moment Ripe?

Nader's own explanation for his poor showing was fairly simple. "There's this psychology among voters not to stray [from the major parties]," he said with a sigh in an hour-long phone conversation a few weeks after the election. "The most disappointing thing to me was the way the polls shrank. They gave every indication to me of holding, going into the last weekend before Election Day, even surging in some places." But the "Molly Ivins" strategy of tactical voting was "a complete failure," in his words. "People don't think about the Electoral College at all," he lamented. (Of course, that was before the Gore-Bush collision in Florida!) He expressed doubts that paid media might have helped him get that message out at the end. "We had that big media buy during the conventions, and we went down," he said. "Anyway, the clutter of ads at the end was staggering. The Democrats spent \$8 million in Michigan alone!" Nader admitted that he had been wrong to start so late. But he wasn't sure that much could have been otherwise. "If we had started in November [1999], it would have been better, but I'm not sure the intensity could have been kept up with some people," he said, adding that it would have been hard to get out the campaign's radical message so early in the political season — especially during the primaries, when many of the mainstream candidates were touting their reformer credentials. "Too many people were giving [campaign contributions] to [Bill] Bradley and [John] McCain. That opened up substantially after March."

The conventional wisdom of political professionals is that an attack on TV has to be answered on TV, and in the final weeks of the election Nader was being bashed unmercifully with scarcely a peep of a response. After a lengthy internal debate over the wisdom of running a second ad produced by Bill Hillsman, Nader let it fly. But there was only about \$200,000 in the campaign kitty to pay for it, and, according to Hillsman, the only city where Nader's advertising even got close to minimal visibility was Portland, Oregon. Hillsman mourned the missed opportunity. "I think 5 percent was within our grasp. But he needed to put more money into media. This was a campaign where we never reached critical mass with TV and radio. Ralph wasn't talking to rank-and-file voters, or reaching liberal independent suburbanites, because he wasn't on the air. Our message never got out to the Anoka's,"

he said, recalling the Minnesota county that was the epicenter of the Jesse Ventura vote. "Basically, it ended at the city limits. College campuses and urban centers."⁶¹

Nader never accepted this analysis. "I don't believe in that approach," he said. "I believe we need to find a million people willing to give one hundred hours a year and \$100 a year. And I'd spend that money heavily on person-to-person organizing. We did our best in Massachusetts, where we had two organizers going door-to-door for six months." Indeed, Nader had gotten 33 percent of the vote in Sheffield and 14 percent in Great Barrington, two progressive towns in the Berkshires.⁶²

Nader's invocation of his "million, hundred, hundred" scenario for building a new progressive reform movement was not new. I had heard him use the exact same formulation in 1992, when he put his pinky toe in the water of presidential politics by allowing some of his associates to run a write-in Nader campaign in that year's New Hampshire primary. Some of the same people involved in his 2000 campaign were there in 1992, like Carl Mayer and Greg Kafoury, and they had hoped a strong write-in showing might actually induce Nader to become a real candidate. "If we build it, he will come," Kafoury had said back then. Their instincts had been good, as the Perot phenomenon later that year showed that America was ready for an explosion of anti-incumbent sentiment. But Nader, committed to his philosophy of civic advocacy, was not prepared to enter partisan politics. He obviously changed his mind in 2000. Somewhere in California in mid-October, as we got back into his rental car after another sold-out event, he turned to me and said, "You know, I should have done this in 1992. But I wasn't ready."

Nader's personal insight raised a different question. Compared to 1992, when America was seemingly seething with "throw-the-bums-out" fervor compounded by various congressional scandals (the savings and loan bailout, the House bank check bouncing) and the lingering effects of economic recession, was the fat, happy, America of 2000, with less than 4 percent unemployment, really as ripe for a populist outsider campaign? In the fall of 1999, a California political analyst named Bill Bradley (not the senator), wrote a perceptive column. He started by noting how neither Bush nor Gore, the putative nominees of their parties, had ignited much genuine excitement. "So most of the attention in national politics has passed, at least for the moment, to unconventional contenders and potential third-party candidates," Bradley wrote. "But the anger needed to sustain such candidacies as decisive challenges to status quo politics isn't there yet. People have lowered their expectations about politicians, who currently rank just above used car salesmen and journalists in public esteem." He attributed this decline of expectations in part to President Clinton, who made a virtue of small government initiatives, though he also thought that part of the reason Clinton had survived impeachment was due to the public's low expectation of politicians in the first place. Bradley continued:

Add to that the widespread sense that Watergate is par for the course in U.S. politics . . . and a lengthy economic recovery relentlessly reinforced by media reports and you have an absence of widespread anger. Of course, the economy isn't nearly as good for most Americans as the media makes it out to be, but times are really bad for only a few and, if you view politics as an essentially rigged system, as most Americans now do, who cares? The cynicism is unearned, and for many, especially the youngest voters, a product of knowing but not knowledgeable media-derived attitudes, but it is no less real for its tinniness. So what we have is not an alienation factor, but a disdain factor. Which is probably not enough to sustain any but the most extraordinary unconventional candidacies.

Nader, in Bradley's view, was unlikely to fit that bill.⁶³

I think there is something to Bradley's analysis that helps explain Nader's disappointing finish, though the strength of John McCain's 2000 run suggests that the popular desire for an across-the-board housecleaning in Washington never disappeared as much as Bradley surmised. In fact, in the spring of that year, a quarter of the public said they would vote for McCain as a third-party candidate against Gore and Bush.⁶⁴ But Bradley is right to point his finger at the public's declining expectations for politics. To this I would add an especially distressing problem for third-party organizers: the background noise of Perot's Big Bang. By this I mean not just his explosion in 1992, which was a

moment of rising hope for many Americans, but his implosion in the years following. Nearly 20 million Americans took a chance on Perot in 1992, pinning their hopes for dramatic reform on his quirky candidacy. Eight million people—some the same voters from before and others younger and less well educated, took another chance with him in 1996. And all they got was dashed hopes and shattered dreams.

To be sure, a significant number of Perot voters migrated over to Nader. But many others—particularly those who helped put the "angry middle" on the map in the early 1990s—may well have been exhausted by their dalliance with Perot. Their withdrawal from politics wasn't proof that Americans were suddenly more content with their dysfunctional government. But maybe many were more resigned to the seeming immobility of the status quo and intimidated by the personal sacrifices that they knew, from bitter experience with Perot, it would take to organize an outsiders' movement again. Nader, quite astutely, always zeroed in on this problem of expectations. But in addition to all the other factors hindering his rise, I think the Perot implosion added an invisible undertow.

As it was, the Nader campaign tended to focus its energies more at students, young people, and progressives than at political independents. A number of Reform Party leaders endorsed him, including Jack Gargan in Florida and several party activists in Texas, as well as the splinter American Reform Party, but the campaign didn't maximize the impact of this news. Nader met with Ventura, who declared that he should be included in the debates. But the popular governor never made any endorsement, only saying that he wasn't voting for a major-party candidate. Despite the opportunity created by Buchanan's hijacking of the Reform Party, Nader never made a concerted bid for former Perot voters.

Dan Johnson-Weinberger, a campaign staffer working out of its Chicago office, was delegated the "Perot voter" portfolio. But he felt that Nader was more focused on building a "Labor-Green" coalition than an "Independent-Green" coalition. He told me that the head of the Minnesota Independence Party, Rick McLuhan, was ready to make a public endorsement of Nader but couldn't after he skipped Ventura's "all-candidates" debate. "I think he burned a bridge there," Johnson-Weinberger said. "I think he could have gotten an endorsement from Ventura if he had focused on it; there was a 30 percent chance, at least." Johnson-Weinberger saw plenty of grass-roots support for Nader from former Perot voters. "In the Chicago office, all the people walking in say they voted for Perot in '92. They all use the same rhetoric —'I like Nader because he has integrity. I trust him.'" But the campaign did little with this potential. Instead, it fell into the well-worn groove of courting (and arguing with) progressives.⁶⁵

There were other external conditions beyond the campaign's control. Certainly, no one could have predicted that Patrick Buchanan would put in such a weak performance—especially after polls in 1999 showed him drawing into the low double digits as a third-party candidate. Had there been a genuine four-way race, with or without a four-way debate, it would have been much less likely for Nader to be caught in such an ugly endgame with the Democrats. And certainly, no one thought that the race between Gore and Bush would be so close—another factor that ultimately depressed Nader's vote totals. But there were some things the Nader campaign could have done differently. It could have chosen a more active vice presidential candidate than longtime environmental justice activist Winona LaDuke. Her presence on the ticket was obviously reassuring to hard-core Greens who were concerned that Nader would neglect their broader platform in his efforts to focus on corporate power and democracy issues. But LaDuke was nowhere near as visible on the campaign trail as Nader, and he stood by the platform pretty reliably. Her absence sometimes angered and confused women who came to rallies expecting to see her speak. The campaign also could have started earlier, and it could have tried to set aside money for last-minute response ads.

But these are quibbles against some larger questions. One is whether anyone can claim to be building a people's movement when big chunks of "the people" aren't with you. The second is whether Nader confused people with a seemingly contradictory message—sometimes saying his third-party bid was aimed at teaching the Democrats a lesson and forcing them in a more progressive direction and other times saying he didn't care what happened to the Democrats, he was building a new party

regardless. And the third is whether he ran too much as a progressive prophet scolding the right-drifting Democrats and not enough as a maverick independent challenging both parties.

Writers such as Vanessa Daniel, in the Oakland-based magazine *Colorlines*, and Salim Muwakkil in the *Chicago Tribune*, drew a bead on the overwhelming whiteness of Nader's supporters. The candidate tended not to handle the criticism well, sometimes even blaming African-Americans who asked him about the problem for not bringing more friends with them to his rallies! It was true that many of Nader's progressive positions were of express value to people of color. He was the only candidate supporting a Marshall Plan for the cities as restitution for slavery, and the only committed opponent of the drug war and the death penalty. As Muwakkil wrote, "He speaks to problems that have their most damaging effects in African-American and Latino communities."⁶⁶ But Nader was primarily interested in talking about America's unresolved problems in class terms, not racial ones.⁶⁷ He rarely campaigned in black churches or historically black colleges. Considering that so many of the vast army of discouraged voters that he had hoped to reach were likely to be people of color, this was a real shortcoming.

Nader also alienated some observers with his occasionally contradictory rhetoric. Many times he said there was no meaningful difference between Bush and Gore, or "the only difference was the velocity with which their knees hit the floor when corporations knock on the door." But he also frequently lamented the rightward drift of the Democratic Party and held out his candidacy as the way to move it in a more progressive direction. This, he said, could be accomplished if Democrats realized they couldn't take progressive voters for granted anymore, that they had somewhere else to go. Sometimes he said he would support running more Green candidates for Congress, even if it meant that more Democrats, even possibly those with good records, would lose their races in the short run.⁶⁸ But at the same time that he admitted his willingness to drench Gore's Democrats in a "cold shower" of being out of power, he also suggested that his candidacy would be a boon to congressional Democrats by bringing more voters to the polls who would tilt their way. He wanted Democrats punished for their right-wing betrayals and rewarded for being more progressive than the Republicans running Congress.

Pushed to clarify, Nader would say that he never intended people to think that there were no differences between the two major parties, just that there were "few major differences" when examined in terms of their relationship to corporate power.⁶⁹ And he said that he never contemplated knocking out Democratic progressives like Paul Wellstone or Russ Feingold—indeed after the election, he properly claimed some credit for helping Democrats Maria Cantwell and Debbie Stabenow win their close Senate races, bringing the Democratic Party to parity with Senate Republicans.⁷⁰ "Conservative Democrats have a sense of political entitlement to progressive votes that is, frankly, insulting. They expect progressives to roll over and back the Democratic nominee — no matter how bad," he told journalist John Nichols a few days before the election. "We are creating a Green Party alternative that says to the Al Gores and the Joe Liebermans that there is going to be a penalty paid from now on for rebuking and rejecting the soul of the Democratic Party historically—the progressive wing."

But given that many Greens and potential supporters lived in progressive strongholds (like Santa Fe or Madison), support for Green candidacies in those areas could well mean undermining decent Democrats in the process. It was a seemingly unresolved contradiction for Nader and the Greens. Nader resolved it by saying that he saw the party moving through two phases—an early one in which its candidates in some places would challenge both parties but draw more votes from former Democrats and in others where its presence on the ballot might actually assist some Democrats, as he believed he had done for some congressional Democrats. In a later, more mature phase that he saw taking eight to twelve years, the Green Party would be close to a major party itself.⁷¹

Whether the Greens will ever reach that stage remains to be seen, though the odds for success are long. Which brings me to the final question about the strategy that Nader and the Greens have taken for challenging the two-party duopoly at the national level. After years of hard work as a nonpartisan citizen advocate, in 2000 Nader came out as a full-blown left-winger, taking strong positions on the death penalty, the military budget, health care, gay rights, labor organizing, racial

profiling, reparations for slavery, hemp, sanctions against Iraq, Palestinian rights—you name it. And while he focused on a set of issues surrounding corporate power and democracy that could appeal to an independent skeptic, he saddled himself with the mantle of a fledgling social democratic party whose core activists are primarily white progressives with a crunchy granola flavor. (Ironically, for someone who wanted to focus on class, he managed to adopt many positions on other issues without gaining much ground with progressives concerned with "identity politics." At the same time, his embrace of so many leftist causes may well have hurt him with nonprogressives who might have responded to his class-based message.)

For all the times Greens said they were "neither left nor right but out in front" of America's tired political dichotomy, most of the time in most of the places where they are active, Greens are of the left. And many Americans have a reflexive allergic reaction to leftists. Some of this is a residue of the Cold War and McCarthyism and years of ingrained propaganda against socialism, communism, and even liberalism. Some is due to the media's conservative bias, which has turned genuine left-progressive voices into an endangered species on the tube. But while majorities of Americans agree with the left about a host of major issues (taking care of the poor and the elderly, making health care affordable to all, making the minimum wage into a real living wage, protecting the environment, civil rights, and equality for women and minorities, defending human rights at home and abroad), they often turn away from joining actual leftists, for two reasons.

One is the undeniable panoply of narrow issues that many leftists espouse. Phil Madsen of the Minnesota Independence Party once told me of how, early in his life in politics, he went to a caucus meeting of the Democratic-Farmer-Labor Party and was shocked at how much time was spent discussing the conflict in El Salvador. It wasn't that he didn't care about the issue, it was just too far from his own life and interests. And he didn't have the time to spare. Many leftists also make an unconsciously elitist assumption that other Americans have—or ought to have—the free time to spend fighting the good fight to free someone wrongly sentenced to death row or to stop a spacecraft filled with plutonium from being launched. But they don't. Politics, to most Americans, is at best a "necessary evil" that they only engage in when they have to. That is to say, when their own interests are at stake.

Frame issues in terms that relate to people's own lives, and they will listen. That is why Nader's long-standing consumerism and defense of "the little guy" against predatory corporations made him a genuine American hero to people who had never heard of such brilliant cultural critics as Noam Chomsky or Barbara Ehrenreich. But something changed when he decided to run seriously as the Green Party's candidate for president. "I always framed things as an appeal to traditional values," Nader insisted afterward. "I would define the corporatists as the extremists, pointing out their exploitation of children and commercialization of childhood, for example. I was always careful to appeal to conservatives."⁷² This is true. But he also talked constantly about how Democrats had betrayed their progressive roots. And what Nader didn't see after he left the stages of his many rallies was the carnival around his campaign: earnest young men and women, some in dreadlocks and sandals; older white academics; hippies and former hippies, slackers and a few hip-hoppers; tables laden with literature discussing the plight of Mumia Abu-Jamal or the dangers of electrical power lines or animal rights; even newspaper clippings documenting the efforts of "Nudists for Nader" (after all, the Greens had nothing to hide).⁷³ It was celebratory, it was exuberant, and it was—in too many places—in a self-indulgent cultural cul de sac.

Even worse, many Greens seemed to wallow happily in their own marginality. They took their own failure to break through with the general public not as a sign of their own failed approaches to organizing, but as proof of their righteous martyrdom. Their weakness, they said, was the fault of the corporate media, or of the two-party duopoly, or of the role of big money in politics—and indeed, all of these things have made it very hard for political dissidents of the left to make much headway in American politics. But the isolation of the left took on the comfort of a persecuted sect. People withdrew to cultural enclaves like Madison or Santa Fe because they felt supported there, yes, but also because these places were an escape from the messy, corrupt, hopelessly dysfunctional rest of the country. Some Greens I met in northern California and on the upper west side of Manhattan

exemplified this for me. Their passions were entirely focused on issues like the conflict over the future of Pacifica radio, or the legalization of hemp, or human rights in Tibet. These were all valid concerns, but they weren't anywhere near the needs or interests of most Americans.

"Vote Your Conscience," read the placards handed out at Nader's super-rallies. It was a noble position, and the core motivation for many if not all of his supporters. There was a joy connected to voting for someone among Nader's fans, a feeling of liberation after years of swallowing compromises. As a force for motivating people to take unusual steps in their lives, this sense of morality empowered cannot be underestimated. It may yet be that like the abolitionists of more than a century ago, the people who flocked to Nader's Green banner may well have crossed a psychological threshold that places them in solid opposition to the established order but frees them to push harder for fundamental changes. Now, as outsiders to the two-party system, they may knit together their visions into a compelling argument other Americans will find hard to ignore. But until that happens, hard truths still have to be faced. The main one is that Nader and the Greens didn't reach all Americans. According to exit polls, Nader's support came almost entirely from the left side of the spectrum; obviously, conservatives, moderates, and even most independents weren't hearing him.

Ultimately, there may be a hard lesson here for anyone seeking a way out of the two-party duopoly. Yes, the mythic party of nonvoters outnumbers that of the Democrats and Republicans and is potentially more progressive in its leanings. But there are also many independent voters who are open to new choices beyond Tweedledom, and these people vote more regularly than typical "nonvoters." Thus it may make more sense to build a third-party campaign as an independent-populist play rooted in the "angry middle" than as a holier-than-thou purely progressive bid. It may also make sense to stop expecting ideological purity from candidates, if the goal is to win a plurality of the vote, rather than to just be a prophetic minority. This is, of course, assuming that the goal of a progressive third party is to speak to a majority of Americans and shift the country in a different direction, rather than just to create a refuge for exiles from one of major parties.

Jesse Ventura, who may be a political genius or just an unusually good self-promoter, understood the instinctive political attitudes of most Americans very well. In *Do I Stand Alone?*, his second book written since entering politics, he made explicit his identification with average working people against the career politicians who serve the interests of the two major parties. As he put it, "My point of view is that of a working family man, not a political 'favorite son.' And as a member of the Minnesota Independence Party, I'm an outsider to the good-old-boy networks that the two traditional parties have carefully woven into every aspect of our government." Ventura then condemned the reflexive positions of both "rightists" and "leftists," insisting that he approaches every issue on the merits. But for him "the only special interest" he represented was "the interest of the working man and woman." As he surveyed the many issues confronting America, he came down on the progressive side of the equation on almost every one: he was for fair taxation, equal rights for women and gays, choice, unions, freedom of speech, public financing of campaigns, religious freedom, reining in the power of huge corporations when they harm individuals, affordable housing, expanded drug-treatment programs, and an end to the war on drugs. He was against racism and the religious right. But he reached these conclusions without any of the baggage carried by the left.⁷⁴ Maybe that explains why Ventura was able to do so well with the angry middle.

While Ventura showed how a third-party original could break the two-party lock on politics, he has since shied away from providing coherent leadership that could carry people forward into a new political paradigm, preferring a safer form of personal politics that was quintessentially in tune with the media age. But the essential kernel remains. Political labels do not mean a lot to most Americans, except as a shorthand way to pigeonhole distant politicians. What matters is not how a would-be maverick positions him- or herself on some right-to-left checklist, but how well he or she connects to where people are and sees how to carry them forward. Put another way, "progressive" really should have only one meaning in politics: the effort to connect to the concerns of average people for a better life. Jim Hightower, a progressive Democrat who broke with his own party in 2000 to keynote the Greens' Denver convention and speak at many Nader super-rallies, understood the wisdom of this

approach when he said, "The real political spectrum in America is top versus bottom, not right versus left. And we need not just the beansprout eaters, but the snuff-dippers, too."

Such a strategy doesn't have to mean jettisoning progressive principles —indeed most of these speak to the majority of Americans when they are framed as appeals to fairness, justice, and democratic empowerment. But it does mean taking very seriously the need to speak to Americans where they are, without expecting them to come all the way over to the progressive side of the box on their own. Nader's gamble was that his thirty-seven years as a citizen advocate, his convincing fight for the "little guy," and his defense of civic values over corporate values would transform the Greens into a new kind of populist/ social-democratic party. Clearly that didn't happen—or at best, it is only beginning to happen. Instead, in the 2000 campaign, Nader became a "Green" — and despite his best efforts, that term by itself still doesn't mean much to most Americans.

Chapter 11 The Prospects for America's Third Parties

The Democratic Muscle

The three-volume *Encyclopedia of Third Parties in America*, published in 2000, has entries for 117 parties, covering almost every substantial national- and state-level effort from A to W, from the Afro-American Party of the 1960s to the Workingmen's Party of the 1830s. This is out of a larger pool of perhaps 200 third parties that have formed and disappeared since the early 1800s. Today there are at least 38 third parties active at various levels of meaningful organization. Twenty exist in one state only.¹ Thirteen others are primarily doctrinal sects or cults of personality with little hope of reaching pluralities, if not majorities, of voters.²

That would leave five with national prospects, but for all intents and purposes, the Reform Party died after the 2000 election. In April 2001, Russ Verney, its original chairman, left his job as Ross Perot's right-hand man to work for a public interest group, Judicial Watch. "There aren't many remnants of [the party] left," Verney acknowledged as he made the move. The only thing that could revive Reform would be another presidential run by Patrick Buchanan. The right-wing columnist raised about \$15 million in 2000 (apart from the \$16.6 million he received in public funds during the primaries and for the general race). Much of that came from small individual donors. So, at least the potential base for a Buchanan candidacy remains. But it doesn't seem likely.³

That leaves four parties — the Greens, the Libertarians, the New Party, and the Labor Party—with serious aspirations of reaching the broader citizenry. But it makes little sense to include the Labor Party in that number until it actually starts running candidates in elections. To the remaining group of three, I would add three of the existing single-state parties —Minnesota's Independence Party, Vermont's Progressive Party, and New York's Working Families Party—as models that have something to say to the rest of the country.

Do third parties have a future in American politics? Specifically, do they have a future beyond nipping at the heels of the major parties? Unless or until states actually outlaw their existence, third parties will show up periodically on the ballot. That's the "easy" part. Enough Americans believe in fair play to give party activists that first leg up, a signature on a petition form.⁴ And some of these parties are making the petitioning process less onerous, both by suing state elections officials and by carefully planning their ballot drives.⁵ Third-party bids will keep on coming. But will they ever get strong enough to force the major parties to make changes in policy, or elect enough of their own to govern in a different direction? Specifically, do these six third parties have that kind of future?

The signs ahead are both good and bad. While the terrorist attacks of September 11, 2001, produced an immediate public outpouring of support for the government and all its institutions, this moment cannot last unless it is accompanied by a far-reaching set of changes in how mainstream politics is now conducted in America. Without such changes, political alienation, the breeding ground for third-party hopes, could easily reignite. Consider all the sources of the gap between the rulers and the ruled in America seems to grow greater. Candidates campaign with highly staged appearances at locations where the hosts have good reason to behave, like public schools and senior centers; when citizens organize to "act up," politicians are usually nowhere to be found. Real, unscripted, interchange in public between politicians and their subjects is a rarity. During the 2000 New York Senate race, Hillary Clinton actually dared to charge admission fees at some of the stops on her vaunted "listening tours."⁶ Even the rare "town hall" style meetings held by the occasional senator or representative involve the public primarily as spectators; the politician holds the microphone and sets the agenda, the audience hoots, whistles, applauds, or waits in line for a brief moment of self-expression.

Accountability, in the sense of organized people marshaling their collective memory against the record of the action, or inaction, of the politician representing them is practically non-existent. Instead, we have partisan name-calling, in which tiny but influential groups of Democratic and Republican loyalists and pundits accuse the other side of all manner of ethical and legal violations, while ignoring

or justifying the exact same behavior by their own. (Or worse—they both agree to sweep certain scandals under the rug.) This is not accountability, but a kind of mutually assured protection racket. Step back from the details of the day-to-day political struggles in Washington, and what do you see? Both the Democrats and Republicans are in a kind of slow-motion collapse, where the main thing keeping them standing up is the fact that they are falling into each other, like two drunks holding each other up as they stumble down the street.

This lack of accountability combined with the reality that most seats in Congress are safe for life has produced a culture of near impunity. U.S. representatives use their websites to advertise everything but their actual voting record. Politicians who once promised to limit their own term in office renege, telling their constituents they know better now. The number of millionaires in Congress vastly outpaces their presence in the general population, reinforcing a dramatic distance from the lives of most people. In one congressional district in the Northeast, the same House member who once marched in his hometown's July 4th parade beside the firefighters has now developed a taste for expensive hand-tailored suits and cufflinks. One U.S. senator (now under investigation for corruption) takes a private chartered jet to fly fifty miles from one local town to another. The traffic jams his constituents must live with every day are not for him.

Other, more formal, entry points to the political discourse for the voices of ordinary people are blocked as well. Only one-eighth of a percent of all Americans old enough to vote gave a federal candidate for office a \$1,000 contribution in the 2000 elections. Most people instinctively understand that under the terms of our campaign finance system they are priced out of real access and influence as effectively as if Congress enacted a new poll tax, charging people for their right to vote. Instead, under the guise of "campaign finance reform," in the spring of 2001 the Senate voted to double the individual contribution limit to \$2,000—a boon to incumbents and wealthy donors but a mockery of real reform. And, because of the lack of public financing, even the good people in Congress are forced to spend most of their time chasing checks from the rich. Is it any wonder there's more interest on Capitol Hill in cutting tax rates for the wealthy, deregulating the financial sector, and making bankruptcy law friendlier to credit card companies than there is in expanding health care coverage to the uninsured or rebuilding crumbling public schools? Even in the heat of the post-September 11 crisis, some members of Congress were pressing to reward their backers in the energy industry with a rush to open the Alaskan wilderness to oil rigs, while others bickered over extending unemployment benefits to people displaced by the attacks.

Signs of voter unhappiness with the electoral process that intensified after the Bush—Gore fight over the recount, have been met with modest improvements in some places and back-room backsliding in others. In general, the Florida crisis prompted state legislatures to produce mostly technical fixes to their voting systems.⁷ Despite hundreds of bills introduced and lawsuits filed, little has been done to address the underlying inequalities exposed by the vote count in Florida. As of May 2001, two states had moved seriously to restore the right to vote to former felons who had paid their debt to society—New Mexico and Connecticut. In Florida, where investigative reporting showed that tens of thousands of people had been unjustly deprived of the franchise, nothing was done about this scandal. (Not only did the state legislature reject a proposal to restore former felons' voting rights, it eliminated some public matching funds for campaigns as part of its "electoral reform" package.)⁸ Elsewhere, state Republican Party leaders contemplated quiet steps to restrict their primaries to party members only, disturbed by the surprising strength of maverick Senator John McCain among independent voters. In California, Democratic Governor Gray Davis squelched legislative proposals for Election Day voter registration à la Minnesota, fearful that such a change would produce more Jesse Venturas.⁹

The democratic impulse is a muscle that must be exercised regularly; when people grow up in a political culture that devalues their participation and treats them as passive objects to be manipulated, that muscle atrophies. Nothing illustrates this better than the generally quiescent response to the destruction of public space where democratic interaction can take place. Americans take it for granted now that most of the locations where they casually encounter fellow citizens are legally closed to civic affairs. Instead, they see politics as at best something to be watched on TV or read about in the

newspaper. Shopping malls and supermarkets are deemed private property, where no petitioning or other forms of political gathering can be legally prohibited, even though these places have effectively destroyed the old "Main Street" village thoroughfare. Life in retirement villages and gated communities is often governed by restrictive bylaws that suppress on-site political activity by their residents, or require them to stick to nonpartisan affairs. But few people seem to mind. Thus, when the U.S. Postal Service announced that it would no longer permit petitioning on the property of post offices, there were a few protests but no sustained outcry. With the major political parties and incumbent politicians more and more in thrall to the demands of big money fund-raising, and much valuable work of public interest conducted by nonprofit, nonpartisan groups that are legally obligated to avoid direct involvement in elections, often the only places where the citizenry's democratic muscles are still being developed to their fullest are the nation's third parties.

The future of America's leading third parties —the Greens, the Libertarians, the New Party, the Minnesota Independence Party, the New York Working Families Party, and the Vermont Progressives — depends entirely on their ability to build those muscles. Can they? To take Daniel Cantor's sage observation about the New Party and extend it, the only answer is, there are no shortcuts. While public interest in third-party alternatives remains high in the abstract, the actual level of tangible resources available to these projects to tap and channel that interest is fairly low. Three factors are critical: money, organizers, and public awareness. Money can come from public sources, rich individuals, affiliated institutions, and members. Organizers —the people who actually do the work of building the party—can be either paid or volunteer. And public awareness of specific third parties and their candidates—the most precious and intangible of political commodities—can come from their own efforts to project themselves into the public eye (high-level races, celebrity candidates, cutting-edge issue campaigns) as well as from sympathetic media coverage.

Each of these six parties have some of these assets in hand or in reach. Take money, politics' mother's milk. Nader raised \$8.8 million in 2000 from a pool of some eighty thousand individual donors. The Libertarians' presidential candidate, Harry Browne, raised just over \$2 million, and the national party raised and spent \$3.3 million on top of that. Membership dues cover New Party chapters' local operating costs. The Working Families Party had a statewide budget of about \$800,000 in 2000. Jesse Ventura's campaign committee raised about \$200,000 in 1999, most of that from selling campaign memorabilia like action dolls; his party also tapped \$20,000 in contributions under the state's tax refund program. And Vermont's Progressives drew on the state's innovative Clean Elections full public financing program, raising more than \$35,000 from more than sixteen hundred small contributors in order to obtain some \$260,000 in public funding for their 2000 gubernatorial candidate, Anthony Pollina. All of these totals show the parties in question have developed real funding bases that they should be able to continue to tap for the near future.

In some cases, this money is already enough to pay for staffing. The Libertarians have a national staff of about a dozen. Nader is keeping on eight people from his campaign and he has started a nonprofit, Citizen Works, to help build the Greens. The WFP has a full-time staff of sixteen. Officeholders ranging from Governor Ventura on down provide their own in-kind contributions of time and effort. Elsewhere, the money is thinner but keeps a core of one or two key campaign organizers going. Communications technologies like e-mail and the World Wide Web are also lowering the cost of organizing and advertising. Of course, money isn't everything in third-party organizing. Enthusiasm and devotion keep hundreds of volunteers active in all these parties. Nor do third parties need financial parity before they can break through to voters. The strong showings of Green congressional candidates in New Mexico—who were vastly outspent by their opponents—along with Ventura's victory, suggest that if a third-party candidate has a strong message and enough resources to be heard by voters, disgust with the major-party choices can translate into a rapid rise for the alternative candidate.

Changing the Media Mind

But if America's leading third parties are to thrive, there will have to be an alteration in the media's attitude toward the phenomenon. Despite their current and historic contributions to the democratic process, third-party candidates are generally treated as nuts, nuisances, or nonpersons. The night that Jesse Ventura won in Minnesota, on-air correspondent John Hockenberry of MSNBC openly sneered.¹⁰ NBC's Tom Brokaw asked Ventura if he should be addressed as "Governor Jesse Ventura, or Governor Jesse 'The Body' Ventura." You could almost hear the snickers from the control room. The *New York Times* front-page story on his win couldn't resist poking fun at his roots in the professional wrestling business. Robert Scheer, a liberal columnist for the *Los Angeles Times*, said on his radio show on KCRW, "The people of Minnesota should be spanked for letting this happen."¹¹

Press coverage of the Reform Party shenanigans was equally telling. Granted, some of the oddballs who presented themselves at the party's meetings deserved criticism. But opinion magazines of the center-left and center-right, including the *New Republic* and the *Weekly Standard*—places where so-called opinion leaders go to get their dose of conventional wisdom, took remarkably similar approaches. Along with extensive investigative features reporting on Perot, Buchanan, and Fulani's involvement in the party—much of it quite good—these magazines reveled in the opportunity to make fun of the average Americans who were attracted to the party. Their reports on its 1999 convention in Dearborn, Michigan, where support for Jesse Ventura produced a resounding rebuke of the Perot-Verney leadership of the party and set off Jack Gargan's ill-fated chairmanship, were full of derision. Their reporters seemed to be more interested in their own ability to write a colorful put-down than address any serious questions about the party's future.¹² To my knowledge, only three mainstream outlets—ABC News, *USA Today*, and the Fort-Worth *Star-Telegram*, delegated a full-time reporter to the third-party beat in 2001. And even though these reporters did their jobs with much gusto, they often had to fight to get their stories aired or published.

Few journalists wore as many of their biases on their sleeves as Tucker Carlson, a young Republican who made his mark at the *Weekly Standard* and then vaulted, with his bow tie, to CNN's *Crossfire*, where he played the conservative to Bill Press's liberal. An interview he did in mid-July 1999 with third-party advocate and former independent Governor Lowell Weicker was quite revealing of the mainstream view of such efforts. "Why burden Americans with another name on the ballot?" Carlson asked Weicker. "It seems to me that third-party candidacies aren't going anywhere. Protest candidacies as yours, I think we'd both agree, make people cynical. They see a name on the ballot. They think, he's not going to get elected. You know, this is why American politics is pointless, because people who can't win run." Carlson seemed to be saying that he would prefer it if there was just one candidate on the ballot at a time.¹³

But this notion of democracy as a burden and third-party candidates as bothersome wasn't just held by up-and-coming right-wingers like Carlson. The very same attitude imbued the *New York Times*'s editorial attacks on Nader's campaign. His was "a self-indulgent exercise that will distract voters from the clear-cut choice represented by the major-party candidates. . . . The public deserves to see the major-party candidates compete on an uncluttered playing field."¹⁴ Contorting themselves in knots, the paper's editorialists were at pains to explain why they had criticized the Commission on Presidential Debates for excluding Perot in 1996 but agreed with its decision to exclude Nader and Buchanan in 2000:

We argued that since Mr. Perot had run a strong race in 1992 and still had a broad national standing four years later, he had the right to debate President Clinton and Senator Bob Dole. This year, however, neither Ralph Nader nor Patrick Buchanan has yet reached the status of a candidate with demonstrated national support. Should that change as the campaign progresses, the commission can respond accordingly. For now, the public deserves to see Mr. Bush and Mr. Gore lay out the substantial differences between them, without interference from third- or fourth-party candidates who have not built solid constituencies.¹⁵

Actually, in 1996, Perot was at 8 percent in the polls when the commission arbitrarily decided to exclude him; four years later polls showed Nader at anywhere between 4 and 6 percent when the commission snuffed his debate bid. In both cases those numbers showed "solid constituencies" in support of their candidacies. The *Times* also paid no heed to polls showing a majority of Americans wanting Nader and Buchanan included in the debates.

The *Times's* editorial attacks on Nader's candidacy, and by extension all unsanctioned third-party behavior, were truly startling when read against other statements made by the paper on the issue of democracy. Not only were the paper's editorialists strong advocates of reducing money's role in politics, they had several times in the not too distant past stood up and roared against attempts to close the ballot to unwanted candidates. In January of 2000, the paper of record lambasted George W. Bush "and his New York henchmen —Gov. George Pataki and the Republican Party chairman, William Powers" for indulging "in a shameful display of Soviet-style politics." Their crime? Rigging the state's Republican primary so that Bush would be the only candidate on the ballot. This was explicitly an editorial in favor of a multicandidate election, since the *Times* was advocating on behalf of Steve Forbes's and John McCain's efforts to get onto state ballots. The paper even ran a map showing New York's "democracy-free zones" —congressional districts where those candidates had their petitions challenged "and voters may therefore have their choices narrowed because of an unfair and outdated system."¹⁶ A little more than two-and-a-half years earlier, the *Times* congratulated Governor Tom Ridge of Pennsylvania for vetoing a new set of ballot access rules that would have drastically increased the number of petition signatures needed for third-party candidates to get on the ballot there and shortened the period during which they could be collected. Noting that third parties were on the rise nationally, the *Times* scolded the state legislature for trying to monopolize its hold on power. "The legislators might keep in mind that it was the Liberty Party of 1840 that prompted people to think about the idea of abolishing slavery, and an upstart Republican Party that introduced a politician named Abraham Lincoln," the *Times* concluded.¹⁷

As public opinion leaders at the nation's most prestigious newspapers and journals justified closing their minds to vigorous public debate and political competition, the country's public broadcasters were given the same message by the Supreme Court. Once upon a time, twenty-odd years ago, the High Court ruled that a "central tenet of the First Amendment [was] that the government must remain neutral in the marketplace of ideas." But then came *Forbes v. Arkansas Educational Television Commission*. On May 18, 1998, the court turned its back on its own First Amendment doctrine, ruling that a state-owned public television station, the Arkansas Educational Television Commission (AETC), could legally restrict a 1992 congressional candidates debate it organized to just the Democratic and Republican nominees, even though it shut out a ballot-qualified independent candidate named Ralph Forbes. The *Forbes* decision was bad news for minor parties and maverick candidates and another stake in the heart of democratic civic culture.

In a manner eerily reminiscent of its earlier ruling in the New Party's *Timmons* case, the Court's 6-3 majority blithely skirted the essential facts of the case. (In fact, it was the same majority of six in the *Timmons* decision.) In his opinion, Justice Anthony Kennedy wrote, "Forbes was a perennial candidate who had sought, without success, a number of elected offices in Arkansas." (The same was true of Abraham Lincoln in Illinois before he was elected president.) In fact, Forbes had twice been a serious contender for the Republican nomination for lieutenant governor of Arkansas, receiving 47 percent of the statewide vote in 1990 and carrying fifteen of the sixteen counties within the Third Congressional District—where he next sought office —by absolute majorities. In 1992, he decided to declare for Congress as an independent, and managed to collect more than six thousand signatures to qualify for the ballot. But even though he was on the ballot, the AETC staff excluded him from their debate because they deemed him not viable. They noted his lack of a paid staff or a formal campaign headquarters (he was running his campaign from his home) as well as the fact that the local media weren't planning to report his vote totals in their Election Night coverage as proof that he wasn't a serious candidate.

It did not trouble the Supreme Court majority that the AETC had included similarly weak candidates—including one who raised less money than Forbes—in debates it sponsored in

Arkansas's other congressional districts, solely because they were Democrats or Republicans. Instead the justices seemed satisfied AETC's decision to exclude Forbes was "a reasonable, viewpoint-neutral exercise of its journalistic discretion." But there is nothing neutral about suppressing the speech of unpopular candidates. Even worse, AETC was allowed to do this even though it was a government agency running five public television stations, paid for by state taxpayers, with a board appointed by the governor. Most Americans would object if the government started printing the words "not viable" next to the names of some candidates on the ballot. But that, essentially, is what the Supreme Court allowed the AETC to do in the *Forbes* decision.¹⁸

The Prospects for America's Leading Third Parties

There are no shortcuts. And in addition to fairer coverage, today's third parties need tangible evidence that they are making progress if they are to keep their adherents' support and thus keep generating financial and volunteer support. I can see several paths forward. One is to use the existing openings at the level of nonpartisan races to elect local officials and produce modest innovations at the policy level. The second is to work hard to change the rules of elections, by enacting reforms like instant-runoff voting, fusion, public financing, same-day voter registration, nonpartisan redistricting, and free TV time for candidates (if not a Citizens Channel). The third is to run head-on at vulnerable major-party incumbents, deliberately spoiling for a fight. And the last is to somehow reorient politics by making an issue so salient voters decide to abandon the old liberal-conservative paradigm for something new. As of early 2001, America's leading third parties were working on all these strategies, with different priorities and prospects.

First, the state-specific parties:

Minnesota Independence Party (www.eindependence.org) —Thanks to Governor Ventura, the party has a real presence in state and, to some degree, national politics. Assuming he runs for reelection in 2002, that presence will be reaffirmed. So far, all he has said on that front is that he will wait until the state deadline in July 2002 to formally file, since he believes campaigns are too long. And if he runs, he says, he won't actively raise any money. Whether he will stick to that promise remains to be seen, though Ventura is probably the only politician currently alive in America who could run for reelection that way and win.

Beneath Ventura, the Independence Party is growing, though not necessarily fast enough to avoid the fate of "A Connecticut Party," which was also built around the popularity and success of an independent governor, Lowell Weicker, but didn't outlast his exit from politics. Unlike Weicker, however, Ventura has made a real effort to support lower-level candidates of his fledgling party. In 2000, the Independence Party fielded several congressional candidates who had significant effects on their races. One, Tom Foley, got 20.6 percent of the vote running in a three-way race for the seat vacated by Democrat Bruce Vento. Its Senate candidate, James Gibson, got 6 percent—enough to help tip the seat to the Democrats. Ten of the party's candidates for state legislative seats got 10 percent of the vote or more—one even hit 23 percent. And at least a dozen others drew in the high single digits. These showings are serious. Redistricting in 2002 may loosen the hold of some incumbents and create fresh opportunities in some legislative seats. Said Dean Barkley, one of the party's longtime leaders and now director of the Minnesota Planning Agency for Ventura, "The fact that we have had eight years of party building, six of which predated Ventura, gives us a stronger base. That gives us a better chance of surviving Jesse's exit from politics if that happens, but it doesn't mean we will. It just gives us a better chance."

Whether or not Ventura runs again (a likely but not definite prospect), he is working to create a real legacy of changes in the state from his tenure. After starting out with a modest agenda of returning the tax surplus to Minnesota's voters and increasing funding for public education—goals that were accomplished in his first year—Ventura decided to push for a few more ambitious reform items in his second year in office. He threw his support behind a drive to shift Minnesota to a unicameral legislature, called for a return to a single session of the legislature once every two years,

backed some campaign finance reform measures, and proposed creating a citizen-driven redistricting process to take it out of the hands of the two-party duopoly. He also called for revamping the state's tax system to put less emphasis on property taxes and more on sales taxes, and took on the education establishment, insisting on tougher measures to judge schools' performance and an end to giving teachers automatic raises solely on the basis of each year they work. After allowing his commissioner for public safety (a former tough-on-crime Republican) to undermine his original support for the medical use of marijuana, he revived the issue and at least got a serious study of it rolling. Of course, calling for change and making it happen isn't the same thing—and Ventura has few allies in the legislature.

In 2001, Ventura pushed the legislature's warring halves to the verge of a government shutdown and ended up producing a budget that tilted to the Republicans on fiscal issues and to the Democrats on social issues. The budget did shift some of the burden for funding education off of property taxes and onto the state income tax—a more equitable approach—but its sharp cuts in the income tax and paltry increases for public education drew much Democratic ire. At the same time, Ventura expanded health insurance for children in poor families, eased back some welfare cutoffs, and forced the Republicans to back down on measures to restrict abortions. His unicameral legislature proposal and campaign finance bill made little headway.

Still, Ventura's model retains its relevance to third-party organizers in other states. He has shown that a "middle coalition" of independents, young people, folks of moderate income, inner-ring suburbanites, and reformers of all stripes can be constructed and driven right through the heart of the two-party duopoly. That example still has the power of a "demonstration project." But while the Minnesota model still stands, it won't spread unless its leaders take concrete steps to help fellow travelers in other states. And as of early 2000, there were few signs that this was going to happen. Ventura campaign manager Doug Friedline was trying to make a living as a full-time political consultant specializing in unconventional candidates. First, he courted two professional wrestlers who briefly considered a political bid (Jerry Lawlor and Ric Flair). He was hired to run John Hagelin's fall 2000 presidential campaign. Then he briefly went to work for a Libertarian candidate in New Jersey's 2001 gubernatorial race. When a maverick Republican state senator, Bill Schluter, decided to run in that race as an independent, Friedline switched houses. Adman Bill Hillsman had finished his stint with Nader, was looking into working for candidates in the New York City and Detroit mayoral races, and waiting to see what developed in Minnesota in 2002.

Dean Barkley and Phil Madsen, the party's veteran organizers, were focused on keeping the home fires burning. Barkley was busy recruiting a new party chairman and trying to find a strong Senate candidate to run in 2002 against incumbent Democrat Paul Wellstone and likely Republican nominee Norm Coleman. "That race will be a fair test to see if we can duplicate Jesse's win in 1998," Barkley commented. "But I do believe it's winnable if we can attract the right kind of candidate." He also projected that the party, which currently has one member in the legislature (a former Republican who switched parties), could elect some of its own. "If we have the governor at the head of the ticket, with a good Senate candidate, we should be able to recruit some good people for the legislature. Having a good candidate at the top helps, but it doesn't get you there. But if we can't make it stick here, maybe it's not going to work. I hope it will work."

Madsen was still the party's webmaster and treasurer of the Jesse Ventura Volunteer Committee, though no longer on a paid basis. In his view, the Independence Party had grown enormously from the day he stood up at a Perot petitioning meeting in the summer of 1992 and announced that he wanted to start a third party. But he still saw growing pains. Enthusiasm among party volunteers was often hard to sustain. The party's state committee had been distracted by a sexual harassment lawsuit against its chairman, and its fund-raising efforts were hampered by the perception that money raised would go to help defend against that suit rather than build the party. But Madsen believed those problems would blow over, pointing proudly to the fact that party members agreed on the rules for dealing with internal disputes and nothing had provoked a crisis of the kind seen when the Reform Party split apart because its last few members couldn't even agree on how to make decisions. In the meantime, he said, the Independence Party's chapters were still initiating their own projects,

particularly in the fourth and sixth congressional districts where its voter base was strongest. "We could grow a lot faster if we took PAC money," he joked. But he was proud of the many subtle changes under way in the state thanks to the Independence Party's existence.

Most impressive was the party's intervention in the all-important process of drawing new election district lines after the 2000 census. "Traditionally redistricting has been a two-party conversation, where the incumbents pick safe seats for themselves," Madsen observed. "This time there's a third party involved." Governor Ventura had appointed a citizens commission with people from all three parties as well as some public interest groups, with Barkley at the head. They were focusing on creating truly competitive districts. "Take the Bloomington area," Madsen said. "One side is Republican, on the west. Eastside tends to be Democratic. Traditional redistricting would divide them between east and west to create two safe districts, one for each party. Our idea is to divide them into north and south to make them competitive. This will draw more people to run, and these candidates will have to try to get Republican and Democratic votes, which will hopefully drive them toward the center. It will also help third parties if the district isn't safe for one party or the other. And more competition means more people will come out to vote, and hopefully a better discussion of issues that matter."

He also thought that even though the party had yet to elect more officeholders, it was winning other kinds of victories that would keep its activists involved. "The treasurer of our congressional district committee just finished a term on a state compensation board," Madsen told me. "I've got another guy on our committee who sits on the Metro Council," which oversees Twin Cities development issues. "And he's proud as a peacock about some water policies they've changed and money they've saved. There are three people on the state campaign finance board. There's one woman on the state arts board, who's real happy about the support she's been able to bring into the arts community from the Ventura administration. By getting involved in the governing process and making a difference, people can see that we matter. It's not just an exercise in futility."

As for helping other activists in other states build their own versions of the Independence Party, Barkley said, "I've been as supportive as I can. The best thing I can do is make this administration the best as it can be, to show that a third way can work. Anyway, they've got to have a base of support. You can't base it solely on a single personality. Weicker showed that. You've got to do that first before you go into a national party mold." He also discouraged anyone who expected Governor Ventura to go on a national proselytizing tour to drum up support for third parties in other states. "If a state would ask, 'We've got this organizing committee, would you come down?'—sure we would. But we can't make it happen. We can be icing on the cake, but they've got to make their own cake."¹⁹

Madsen concurred. "The whole goddamn world would love it if Jesse Ventura would come door knock in their neighborhood. And it's not going to happen. If we want a national party that's authentically bottom up, it has to start that way. We do make our rules available on the website, and we do chat with people and offer advice. We basically say, go ahead and do what we did in Minnesota. The dream is a bunch of states would surface, a couple dozen say, and then they would form a national organization. If Minnesota steps forward to do that, we're right back to a top-down organization." He continued, "Take this fantasy—Jesse Ventura goes to California, hosts a rock concert for one hundred thousand people. The cost of a ticket includes a \$5 membership in the party and people filling out a form changing their party registration. In theory you could do that overnight and have one hundred thousand people, which gives you a ballot line in California, and \$500,000. But the reality is that most of those people would be there for the concert. You can use the Ventura mystique to attract a crowd, but the quality of the crowd is what matters. You'd do better knocking on a hundred doors."

"One slogan we had early on," Madsen added, remembering the building of the Minnesota party, "was 'the first thousand was the worst thousand.' We always reminded ourselves that it would get easier after that. You've got to get a thousand people to say yes to you and hang on. And for every five people that you recruit, you're going to lose three in six months. If you're lucky one of the two remaining will be active. And to succeed, you have to be happy to take that deal all day long. I have

friends who call and say 'I know ten people who quit the party because of you.' And I say 'I know fifteen who have come in.' I'll take that deal every day."²⁰

Vermont Progressive Party (www.progressiveparty.org)— An outgrowth of twenty years of patient organizing, this party might stand as a beacon for Green Party efforts in other states —especially after it endorsed the Nader-LaDuke ticket and produced its second-highest total anywhere in 2000. The Vermont Progressives grew up in the shadow of socialist Bernie Sanders's successful independent campaigns, first for mayor of Burlington, the state's largest city, in 1980, and then later for the U.S. House of Representatives. Their effort was similar to Greens elsewhere in that it drew energy from the thousands of baby boomers who moved to the state in the 1960s and afterward, attracted to the state's beauty and small-town communities. But it was different in one crucial way— from the beginning it was built around a Vermont-centered vision of uplifting the lives of working people. Thus Sanders succeeded first in Burlington's poorest wards, and later always did well with working-class voters elsewhere in the state.²¹ The Progressives proved they were a durable phenomenon when they elected Sanders's successor, Peter Clavelle, as mayor, as well as several state legislators from the Burlington area. Indeed, they have effectively replaced the Democrats as Burlington's second party and have held the mayor's office to this day (minus one term which the Republicans won). But while they built a sophisticated political operation that delivered a solid vote for Sanders every two years and took the lead on a number of local issues, such as saving family farms and expanding health care coverage, they didn't become a full-fledged state party until the 2000 election. Instead, for many years, they operated as the Progressive Coalition, deliberately avoiding any bid for statewide party status.²²

The reason for that was threefold. First, the coalition's leaders worried if they became a formal party, they wouldn't be able to prevent interlopers from jumping onto their ballot line and muddying their message. This was because Vermont does not use party registration, and instead has an open primary process that allows everyone to vote in whatever party primary they prefer. This allows all kinds of mischief, such as voters supporting someone who they think would be the worst candidate for a party they dislike. And it produces a system that is very candidate centered, which the Progressives feared would dilute their party's identity. Second, Sanders was always worried about creating a statewide party and then being linked to a handful of self-appointed leftists who might have no connection to working-class Vermonters. Since he controlled the money raised for his congressional campaigns, he held the ace card in how his get-out-the-vote network could be used. The third reason the Progressives held back is they simply didn't have the resources to go to the next level and do so in an organized manner. So despite having elected and reelected Congress's sole genuine independent, it seemed that Vermont's Progressives would never go the next step of concretizing that support into a solid third party. But they knew they had to keep trying, since the majority vote Sanders got every two years showed that potential voter support was there for other candidates as well.

"When it became clear that Bernie could raise his own money and campaign apparatus, then we were totally beholden to him," said Ellen David-Friedman, a veteran organizer with the state National Education Association who has been long involved in Vermont progressive politics. "The question was always, 'When would Bernie be ready to start a third party?' And he would never be ready." But all that changed with the passage in 1997 of Vermont's new campaign finance law, which provided for full public financing of statewide candidates if they first qualified by raising at least \$35,000 in amounts less than \$50 from at least fifteen hundred people. With nearly \$300,000 in campaign funds, the Progressives' gubernatorial candidate, Anthony Pollina, a longtime community organizer who was previously the director of Vermont Public Interest Research Group, was able to build a substantial campaign. Indeed, said David-Friedman, the Progressives' founding vice chair, "A lot of Bernie's apparatus moved over to Pollina's campaign."²³

During the campaign, Pollina was also included in all the statewide debates, in which he forcefully argued for living wage jobs, support for affordable housing, universal health care and tried to push the political envelope, raising rarely discussed issues of corporate power and economic democracy. According to Terry Bouricius, another Progressive Party activist who just stepped down from his seat

in the state legislature,²⁴ public financing made a huge difference to Pollina's credibility. "In the last campaign, Anthony Pollina was treated 100 percent fairly in the media, and it was all because he had access to money—that was much more important than his poll figures. The fact that he had money meant the press would cover him." Pollina ended up with just 10 percent of the vote, but also with universal acknowledgment as the winner of the debates and a fresh voice to be listened to.

Like Sanders, Pollina did best in the rural counties that make up Vermont's Northeast Kingdom, the most conservative and rural part of the state. And while his activist base was progressive to the core, his campaign made fascinating inroads with Republicans, particularly sportsmen concerned about protecting the state's natural environment. For example, James Ehlers, the publisher of *Vermont Outdoors* magazine, a gun enthusiast who also runs the Lake Champlain international fishing derby, the region's biggest sporting event, came out for Pollina. "He was convinced that if these folks could understand that the Republicans were so pro-development that they wouldn't act in defense of the habitat, they would support Anthony," said David-Friedman. Of the half-million people living in Vermont, ninety thousand hold hunting licenses, she pointed out. Thus this was a vital group to reach.

David-Friedman admitted that Pollina's breakthrough to this constituency came late, though she argued that he clearly took votes from the Republican candidate, Ruth Dwyer. "Some of the people we met with liked Anthony but didn't want to risk reelecting [Democratic governor] Howard Dean—it was the reverse of liberals who worried that a vote for Anthony would elect Dwyer," she laughed. She also acknowledged that it would be harder for progressives in other states to be greeted in the same way among white conservative men because Vermont has such a tiny minority population. A Progressive Party elsewhere would have to deal with more of a racial backlash, assuming that it included defense of social programs that primarily help poor people, who are disproportionately black or Hispanic, as part of its platform. "It all depends which issues you lead with," she said. "We are talking about progressive forms of taxation, universal health care, environmental sanctity (which in other places is more of a left-right issue, I admit), but with the sportsmen base, you just replace the word 'environment' with 'habitat,' and we're right in tune with each other." Since the election, Ehlers has been taking Pollina to wild game suppers and fish and game clubs, where he is always recognized and welcomed warmly.²⁵

Vermont's Progressives are now at a new plateau. Their future prospects depend in part on the continuation of the state's public financing system, which is under some attack in the legislature and the courts. They are also making a strong push to pass instant-runoff voting (IRV) for all federal and statewide races. The Democrats in the state, including Governor Dean, are supportive, as are some Republicans who have signed on as co-sponsors. But according to Bouricius, who was working full time on the effort as a field representative for the Center for Voting and Democracy, "There are a bunch of Republicans who like plurality elections since they see the Progressives as a bigger factor [hurting Democrats] than the Libertarians are in hurting them." Republicans now control Vermont's house, thanks to a strong backlash from the passage of the state's groundbreaking civil union law.

"Even if we lose both public financing and IRV," Bouricius said, "the Progressive Party is in a very good position to be a significant factor." He noted that in addition to four state representatives from the Burlington area, the party had elected local officials to nonpartisan offices in Rutland and Brattleboro. And he predicted that redistricting in 2002 would produce more open seats or weak incumbents where the party might have a shot of electing more legislators. "Money isn't everything in those races, since so many of the districts here are so tiny," he added. "We also have a full-time staff person with an office in Montpelier, based on massive fund-raising on our part—using lists we have been compiling for decades, asking people for money by phone. In a little state like Vermont, that's pretty amazing." While they weren't organized with dues-paying members (which is against state law for political parties), the Progressives' activist base was well within Daniel Cantor's i percent rule. In Washington County in the central part of the state, for example, the party had three hundred volunteers who worked on the Pollina campaign, out of a total voting population of around thirty thousand. The party still had to deal with the state's open primary system, and Bouricius didn't rule out the possibility that Democrats could try to keep Pollina from running for governor again, as is expected, by putting a

cat's-paw up against him in the Progressives' 2002 primary.²⁶ Nor did anyone know whether Bernie Sanders would agree to run on the party's line for Congress that year or stick to his independent status.

Whatever happens to Vermont's Progressives in the next few years, their model ought to especially inspire Greens elsewhere. This is a progressive third party rooted in the world of average working people. Its top officers are organizers connected to the local United Electrical Workers and National Education Association unions. It has a real base, both in terms of voters and financial supporters. Pollina did best among young people and voters with low incomes. The party's platform emphasizes democratic decision making about economic development, focusing on battling corporate agribusiness, alternatives to imprisonment, support for unions, more equitable funding of public education, land-use planning to prevent sprawl, affordable day care, opposition to electricity deregulation, and support for public utilities. At the same time, the party has not shied away from taking a forthright position in favor of social justice for gays and lesbians—backing the state's new civil union law in the face of a vociferous conservative backlash. It has a solid and sensible core of veteran activists who have worked long and hard with each other and avoided many of the self-marginalizing habits of other progressive third-party efforts. In Pollina, it has a responsible and passionate leader who is committed to building the party further. With him running again, along with further recruitment of legislative candidates, the Progressives seem poised to continue their steady growth.

The Working Families Party (www.workingfamiliesparty.org) — Days after Al Gore ended his effort to re-count the votes in Florida and George W. Bush was recognized as the country's next president, the three co-chairs of the WFP did an unusual thing. Refusing to accept Bush as legitimately elected, they issued a cry to arms. "With the end of the election has come the inevitable call from the punditocracy for bipartisanship, compromise, and conciliation. The dominant view is that all Americans should fall in behind the president-elect and help him succeed. We firmly reject this view. We believe it is the responsibility of Democrats and progressives to do everything possible to ensure that George Bush, his right-wing Congressional allies, and his policies, fail," they insisted in a press release. "The Supreme Court may have made George Bush the President, but that does not mean that we accept him as legitimately elected," they added.²⁷

It was the first time the party's leaders had ever made a pronouncement beyond the provincial arena of New York politics. Asked about this statement some months later, party co-chair Bob Master said that it arose out of his own personal anger about the election, which was shared by co-chairs Bertha Lewis and Jim Duncan. It was not something demanded from below by the WFP's chapters or membership, though no one objected to it. Two things were clear from this. First, that influencing national politics really wasn't part of the WFP's *raison d'être*. And second, that its members didn't think (or weren't yet thinking) of using the party for expressive or symbolic purposes.

Such interests may yet develop as the party matures. But for now it is safe to say that the WFP is another useful "demonstration project," though one with a different potential audience than the political independents who might want to duplicate Ventura's Independence Party in their state. "What we're showing the labor movement is that you can recruit rank-and-file members to an organization that will challenge the Democrats from a progressive direction," said Master, the political director of the Communications Workers of America regional local. What's more, he noted, this organization was "more populist and diverse than the labor movement itself." Hopefully, Master added, labor unions in other states would decide that it made sense to join with community organizations to build a larger vehicle for electoral action, and that they should push for changes in state laws to allow similar fusion parties to develop elsewhere.

At the same time, he admitted that the labor-community alliance at the heart of the Working Families Party was still fragile. "The unions find the community organizations irritating because they have a broader perspective," he noted, citing the example of an issue that recently came up in Suffolk County, where the county executive vetoed the creation of a hiring hall for undocumented workers. The WFP's member unions were understanding, because they didn't want the county government

undercutting demand for unionized workers. But the community groups insisted that something needed to be done to help the county's exploited immigrant labor force.²⁸

The party's role in New York City mayoral and council elections of 2001 brought to light other aspects of its potential and limitations. Early in the year, the WFP demonstrated its grass-roots pull by turning out more than one thousand members and supporters to a mayoral candidates forum on economic development. In an otherwise desultory election, that was proof of real street muscle. The WFP was backing more than a dozen exciting progressive candidates for city council seats, and it had launched a major push to enact a living wage covering workers in the city. At the same time, party organizers admitted that they should have started earlier in recruiting candidates for the many council seats opened up by term limits. One early supporter of the WFP, journalist Doug Ireland (my friend and sometime co-author), chided the party for not doing more. And he attacked it for endorsing an African-American candidate for city comptroller, Bill Thompson, who had previously become Mayor Giuliani's chosen Board of Education president by opposing safe-sex education and the teaching of tolerance for gays and lesbians. "Some kids of 'working families' thus deprived of life-saving education will die as a result," Ireland wrote in the July 2, 2001, issue of *The Nation*. "Right now the WFP is a ballot line, not a full-fledged political party, and it is dominated by the labor leaders who pay the bills, not a broad 'community-labor-religious coalition,'" he added.

In my view, Ireland's judgment is a bit too harsh. Yes, there is the danger of the party developing merely into a progressive version of New York's Liberal Party—where a politically wired group of labor leaders and a handful of supporting community organizations deploy the WFP ballot line to win concessions from politicians that benefit their members, and sometimes the larger community, but no larger mobilizing of the public around a different kind of politics takes place. At the same time, the WFP's local chapters and individual members have the potential to push the party in a more broadminded direction—and many of its top leaders share that vision. Several of the party's early endorsements, of Peter Vallone, Hillary Clinton, and now Bill Thompson, suggest that expediency rules over vision when it comes to the party's high-level choices. But the party is still just a mere toddler. Its chapters are just beginning to grow and assert themselves. Over time, it will become clearer if the WFP is to become strong enough to act more independently. Right now, the potential is still there.

Though the WFP was inspired in large degree by the New Party model and vision, it has not affiliated with the national New Party network. "The people who formed the WFP did not want to be part of a national effort, even as they drew on NP staff resources and experiences," Cantor said. From a very practical point of view, there is no need for the WFP to do so, as it already has a fusion-friendly environment to work in and more than enough to do in its own backyard. Paying dues to a national organization that it doesn't need doesn't make any sense. So beyond helping with an intriguing New Party effort to use existing law in the neighboring state of Connecticut to build a WFP-style party, the New Yorkers aren't doing much beyond their own borders. If the WFP is to have a national impact, it will either be because others decide to emulate it, or because it decides to use its unique leverage in New York to influence a congressional or presidential election.

Three National Projects

The New Party (www.newparty.org)—For the New Party's current leaders and activists, what the Working Families Party is doing stands as vindication of their original emphasis on fusion and a model for them to use in trying to revive fusion in other states. Of course, that effort suffered a huge setback in the *Timmons* decision. But the Supreme Court didn't say that states had to outlaw cross-endorsement, only that they weren't constitutionally required to allow it. Standing in this narrow crack, New Party leaders, particularly its long-distance runners in ACORN, are hoping to pry open the political process in a few more states in the coming years.

One state to watch in the short run is Connecticut, where cross-endorsement is legal but rarely practiced. "The problem there is the way you qualify for the ballot is each office individually," said Zach Polett, ACORN's political director. "And the first time you run, you can't fuse under the current

law." What this means is a WFP-style project in Connecticut there has to be built literally district by district. Polett continued, "So the strategy there is to identify legislative seats where you can get i percent of the vote, without spoiling, around an issue agenda, to build a line to use for community-labor purposes." Many of Connecticut's city councils and school boards also have a minority representation rule that prevents any party from holding more than two-thirds of the seats. It is this rule that helped the Greens elect an African-American woman, Elizabeth Horton-Sheff, to the Hartford City Council. According to Polett, several Connecticut unions have met with ACORN staffers recently in the hopes of launching a WFP-style effort soon.²⁹

But the WFP's Bob Master, whose Communications Workers of America local includes seven thousand workers in Connecticut, was not sure if the moment was right yet, even as he took part in Polett's meetings. "Up there, the big problem is that the most aggressive force in labor is Local 1199. And they're entirely focused on dumping [incumbent Republican Governor John] Rowland." Since the state's fusion law requires that the first time a new party runs for an office it has to stand on its own and get at least 1 percent of the vote, that apparently ruled out a run for governor in 2002, Master said. Also the most sympathetic players in the state—ACORN, his CWA local, and the United Auto Workers local (another key piece of the WFP coalition) — were all much smaller in Connecticut than in New York.

Elsewhere, Polett said, "There is an interest and ability to build successful local progressive political parties where the rules are favorable. Both the Little Rock New Party and the Missoula New Party are good examples of this. Both have elected slates of progressive, independent New Party candidates to local office around a clearly identified program. Both include labor, community, and issue organizations as well as interested individuals in their membership and leadership. Both these local parties work well, at least in part, because elections are nonpartisan so the local New Party affiliates don't need a ballot line, since no one else has one either, and don't face the problem of spoiling elections for Democrats."³⁰ But what the New Party's experience in nonpartisan races or one-party regimes like Chicago also showed is that it was hard to build and sustain these chapters without one or two committed local institutions like a labor local or an ACORN chapter to anchor the base. Otherwise the sheer costs of keeping the party going on volunteer energy alone were too high. And many independent progressive activists were more attracted to the Greens, with their clearer emphasis on opposing the two-party duopoly.

Jim Fleischmann, the party's new national director, said that beyond working within the existing web of state election laws, the party hoped to use ballot initiatives to legalize fusion in a few more states soon. "In Montana and Oregon, we have local organizations that are beginning the process of building the coalitions to go to the ballot to overturn the fusion bans," he told me in March of 2001. "Key people from unions and community organizations that have a vision are strategically lining up opportunities in those states and Connecticut."³¹ But Fleischmann acknowledged that the New Party's national engine has been all but shut off and would take some effort to restart.³² The fund-raising and expressions of support that rolled in when there was a possibility of winning a sudden shift in state electoral rules as a result of its Supreme Court lawsuit have all dwindled away. And the disaffiliation of its Maryland and Minnesota branches meant the loss of many dues-paying members. "Part of our problem is the desertion of a lot of political talent when it wasn't clear that we'd be able to bust out," he said. "The attention span of foundations and pundits is just a little bit longer than the electorate. For some folks, we were the hot new flavor."

"When you had a sexy notion of the Supreme Court case, it was easy to get people to lay down a check," said Secky Fascione, the party's national co-chair and another long-distance runner. "Organizing is hard work, moving warm bodies and green dollars. *Timmons* gave us a chance to raise money, but when it went back to the hard work of moving low-income people, some folks got less interested in sending checks." She added, "As an organizer, I'm not surprised that it's hard to make changes in America."³³

The Libertarian Party (www.lp.org)— The Libertarian Party says it ran more than 1,430 candidates for all levels of office in the 2000 elections, including candidates for 255 of the 435 seats in the U.S.

House as well as 25 of the 33 Senate seats up for election. This is certainly an impressive accomplishment—the first time in eighty years that any third party has run for enough seats in Congress to win a hypothetical majority. But although those House candidates received 1.7 million votes, their support was spread thin. Nearly all of the party's contenders drew in the 1 to 2 percent range, which was occasionally enough to affect the results of a major-party battle, but not a sign that a real base was being built. A glance at the county-by-county returns for Libertarian presidential candidates in 1992 and 1996 showed the same thing—nowhere in the country were they able to garner more than about 2.6 percent of the vote. The Libertarians' problem was that their "party of principle," with its platform devoted to "individual liberty and personal responsibility, a free-market economy of abundance and prosperity, and a foreign policy of non-intervention, peace, and free trade," was too diffuse to build up substantial support anywhere in America's geographically bound system of electoral representation. While the party was also using the same opportunity to run and elect candidates in local, nonpartisan elections that was giving Greens and New Party candidates a modest boost, it hadn't figured out how to make a big enough splash in some high-level race to force the electorate to sit up and take notice.

One solution promoted by L. Neil Smith, the publisher of the *Libertarian Enterprise*, was to stop wasting time on the presidential election and on running candidates for as many offices as possible — the party's perennial priorities — and instead target vulnerable Republicans for defeat. "He who can destroy a thing controls a thing," Smith argued, quoting Frank Herbert's science fiction novel *Dune*. "The strategy is simple: identify Republican office-holders who won their last election by a margin of five percent or less," he said in a June 1997 article. "Ignore every other position on the ballot. Run Libertarians against these Republican five-percenters, the object being to *deny* them their five percent and put Democrats in office in their place." [Emphasis in the original.] He argued that even though the Democrats were the more "big government" party, Republicans had given the country many authoritarian laws, like the RICO statute, the war on drugs, the Brady gun control bill, and a national ID card plan. His strategy would either accelerate the proliferation of antiliberty laws under the Democrats, producing an "inevitable reaction," or it would force the Republicans to genuinely change and come out as fierce defenders of the Bill of Rights. "Libertarians will know it's time to stop taking the GOP's five percent away because they won't be able to," Smith concluded.³⁴

Judging from the last two congressional elections, some Libertarians are following Smith's advice. In 1998, one Libertarian Senate candidate took enough votes to tilt the race to the Democrat. In 2000, two of the party's House candidates and another Senate contender did similarly well. Even though these Libertarians hadn't managed to get anywhere close to 5 percent of the vote in these races, they did get the attention of some Republicans. Chuck Muth of the Republican Liberty Caucus, a GOP group, was seriously upset. "Libertarians need to understand that they're nothing but spoilers," he told *National Review*, a conservative flagship. "And Republicans need to learn how to earn their votes."³⁵

It is possible that Libertarians can carve out a role for themselves with this kind of explicit spoiler strategy, though it's far from clear that their voters will stick with them if they fear electing the "worst of two evils" as a result. Smith's alternative strategy also doesn't address the Libertarians' core problem: they are too doctrinaire to ever garner a large share of the vote. A majority of the public certainly has a "live-and-let-live" attitude that often translates into support for liberal-to-libertarian stands on social issues, especially those relating to personal privacy. But the public is nowhere close to the Libertarians' "live-and-let-die" absolutism. Not only do Libertarians oppose taking public campaign financing as a form of "welfare for politicians" (a noble position that means they will often be handicapped in their bids to reach voters), they often voice support for some far-out proposals. For example, their last presidential candidate, Harry Browne, called for eliminating the income tax and getting the government out of the education business. "Let people buy education for their children the same way they buy the other products and services they need," Browne declared.³⁶ Over the last few years, the party has come out against expanding Medicare (one of the country's most popular programs), called for a boycott of New York City until its mayor ended its policy of seizing the cars of people arrested for drunken driving, and even demanded that the government not ban human cloning.³⁷

The Libertarian Party's taste for self-marginalization was in full bloom in the months after Jesse Ventura got elected in Minnesota. During the campaign, Ventura took many libertarian positions — opposing gun control, the death penalty, and the criminalization of drug use, and calling for lower taxes, tolerance of gays and lesbians, and less coddling of people on welfare or students on financial aid. He even questioned the laws against prostitution. When he was asked for a one-word description of his political philosophy, he often said libertarian, noting that he had scored 100 on the "World's Smallest Political Quiz" created by the party's co-founder, David Nolan.³⁸ But instead of embracing him once he was elected, Libertarian Party activists quickly turned sour. The editor of their North Dakota state newsletter wrote an article for the party's national website that attacked Ventura for wanting, among other things, to "make government more efficient, create jobs, reduce the student/teacher ratio, provide Internet access to schools, put monitors on school buses, provide shots for children [and] manage recycling programs better."³⁹

Early in Ventura's tenure, he was invited by the libertarian Cato Institute to be its featured speaker at a local seminar, along with the institute's president, Edward Crane, and Eric O'Keefe, a former director of the party. By now it had become clear that while Ventura was libertarian on many social issues, he also believed that government had a positive role to play in modern life in such areas as education, public health, research and development, transportation planning and infrastructure. This displeased Minnesota Libertarians immensely. Several at the Cato event heckled him when he brought up his proposal to develop light rail for the Twin Cities to relieve auto congestion. They argued that government had no role to play in transportation. Annoyed by the heckling, Ventura told the Libertarians that their candidates were losers.⁴⁰ Not long after that, he told Minnesota Public Radio that he was renouncing Libertarianism. "I used to say I was libertarian —never again. Because I believe there is a role for government to play. I believe there is a role of common good for the average citizen that government needs to have, and they don't quite see it that way."⁴¹ Until the Libertarians decide that they need to move at least halfway to where voters are, and not reject would-be champions to their cause because they are impure, they will remain a fascinating but marginal party.

The Green Party (www.green-party.org) — In 2000, the decentralized network of state Green parties produced more candidates, got more votes, elected more people, registered more Greens, and achieved ballot status in more states than ever before. But this increase in energy and local activity came at a price. Like it or not, a cloud continues to hang around their heads —is President Bush their fault? Did Nader's run only make things worse? On top of all the structural obstacles to third-party growth, Greens now also face the enmity of some people who otherwise might be natural allies or sympathizers, especially among organized labor and in minority communities. More than anyone else, the Greens need to succeed somewhere with their efforts to enact instant-runoff voting. Such a breakthrough would allow voters to rank their choices at the ballot box and not worry about "wasting" their vote or spoiling. With such a system, Greens could get a true measure of their support. It would also help defuse the charge that they are a destructive force. And even if it passed in only one state, such a model would help immensely in persuading people to support it elsewhere.

But while the Greens' head-on runs in some high-visibility races have given them the leverage to press for IRV in places like New Mexico and Alaska, their upstart tactics haven't won them universal acclaim from the power brokers who can make or break that reform. When their IRV bill came up for a vote in the Democrat-controlled New Mexico state legislature in 1998, not one Democrat voted against it. "But not all Democrats support it as much as others," said state Senator Cisco McSorley, a progressive Democrat who was the bill's lead sponsor that year. "We have to convince a lot of centrist Democrats to get it through all the committees it needs to go through to get it passed." That year, the bill died on a tie vote in one committee with two Democrats absent. "Every single Republican went to the committee and two other Democrats were involved in critical budget matters, and we couldn't get them to the vote," McSorley recalled. The state legislature meets for only a thirty-day session, so bills often die in the snarl of competing measures. But McSorley saw a deeper problem. "When the Greens cost us another seat, how will we convince centrist Democrats that this is a group that we can work with? For a centrist Democrat, why enhance the power and visibility of another party?" he asked.⁴²

The next few years will be the Greens' proving ground. Even without the passage of IRV, there are many places where they can expand their efforts, ranging from low-level nonpartisan races to high-profile House and Senate bids. Nader has promised to field candidates in one out of every five congressional races, but it's doubtful that many of them will be strong contenders. That is because the Greens' greatest strength, and weakness, is their openness and passion. The truth of third-party politics in America is getting a line on the ballot is, relatively speaking, the easy part. Using it wisely is much harder. Just controlling the use of the party's ballot line is not a simple thing. For example, in 2000 the New Mexico Green Party didn't want to field anyone in the race to unseat Republican Rep. Heather Wilson, having made their point in 1998 with Bob Anderson's strong showings. "We need to pick and choose our races in places where we feel we can challenge, as well as places where there haven't been challenges before yet there's a desire for change," Cris Moore explained. But a Green candidate, Dan Kerlinsky, a forty-seven-year-old child psychiatrist, surfaced on his own, and despite the efforts of the party's leaders, qualified for the ballot under state law. Contrary to the New Mexico Greens' careful emphasis on local bread-and-butter concerns, Kerlinsky ran as a visionary who wanted to parachute ten thousand therapists into the world's trouble spots, ban homework for schoolchildren, and fight dictatorships with thousands of camcorders. Ultimately, he got 6 percent of the vote, while Wilson topped her Democratic opponent, 50 to 43.⁴³

"To be in a third party you have to be intentionally outside the box—legally, culturally, historically, socially," said David Cobb, the Texas Green who was also the Association of State Green Parties' legal adviser. "You have to be comfortable with that. And there are two types of people who are—visionaries and kooks."⁴⁴ As the two-party duopoly continues to spin off new dissenters, the Greens will keep attracting both types of volunteers—independent thinkers and wing-nuts. In some places, their local efforts and victories will ground their work, as has happened in Santa Fe. In others, their chapters will stay bogged down as they struggle with transitory volunteers, earnest Utopians, ideological zealots, and unproductive inward-focused debates. That pattern of internal confusion and ineffectiveness could be broken with solid leadership and professional training of local organizers. This is something the New Party has done for years with its most promising activists, through an annual Community Action School at the James MacGregor Burns Academy of Leadership at the University of Maryland at College Park. But despite the desire of many leading Green organizers to set up similar training programs, so far the resources have never been there to make them happen.

The way forward will also be complicated by the relationship between Nader and the party. The ASGP is a confederation of state parties without a strong center. Even reconstituted as a national Green Party, it will still be highly decentralized. And it is linked indelibly in the public mind to a national leader, Nader, who isn't even a party member. Nader says he wants to build the party, but will have no direct relationship to its structures. He's not a Perot, using his money and access to the media to drive a party from the top down. But neither is he a Cris Moore, part of a de facto collective of equals who share the hard work of strategizing and door knocking. Nader is a lone wolf who takes advice from many people but ultimately listens only to his own counsel. No one in the Greens is his equal. On the positive side, his efforts to bring the Greens closer to his longtime philosophy of civic empowerment and away from their reflexive leftism may yet produce more inroads into the angry middle tapped by a Jesse Ventura or the sportsmen environmentalists that an Anthony Pollina is reaching. But at the same time, Nader's reluctance to inject himself into current events may cause the Greens to miss crucial opportunities, while his deliberate self-restraint may just confuse and disappoint supporters rather than nurture new leaders, as is his intention.

Nader's seeming disappearance in the immediate aftermath of the 2000 election left many Green voters hanging. Refusing the urging of many, including his closest advisers, he avoided going to Florida during the vote count fiasco and took no part in anti-Bush demonstrations around the president's inauguration in January. Senate Democrats Pat Leahy of Vermont and Jeff Bingaman of New Mexico snubbed his written requests to testify against the appointments of John Ashcroft and Dale Norton. But instead of reminding those senators that he had gotten nearly 3 million votes, including many in their own states, by rallying his supporters in some concerted fashion, Nader did little more than complain on talk radio. When the Democrats selected Clinton fund-raiser Terry

McAuliffe to be their new party chair, despite the fact that it was he who persuaded Clinton to turn the White House into a Motel Six for wealthy donors, Nader could have issued a one-line press release saying "I told you so."⁴⁵ Instead, precisely at the moment that Democrats were ganging up on Green voters for their supposed naivete, Nader was nowhere to be seen—not even projecting a counter-message on his own website.

In his defense, Nader said, "I didn't keep a low profile. The press just disappeared." He cited more than a dozen press conferences he had held around the country between December 2000 and April 2001 that garnered little attention. "People don't see anything, and then they say, 'where's he been?'" In his view, the problem lay in a press that covered him only when the story was how he could affect the presidential horse race. Without that frame, he was no longer news. But he also insisted that he wouldn't start "grandstanding"—going to where the press was to get coverage for the Greens by virtue of his celebrity. "Going to Florida would be like Jesse Jackson. Running to the cameras." Besides, he said, California Green Senate candidate Medea Benjamin went there and did a fine job of representing the party.⁴⁶ While Nader may have been right about not building the Greens around media stunts and wanting to allow other party leaders to emerge, his relative silence during the Florida vote did nothing to counter the charge that he was insensitive to the historic grievances of the nation's minorities. Eventually he came out with a strong statement condemning the systemic disenfranchisement of many black voters. But it was late.

"Ralph's tactics need to change," said Steve Cobble, one of his Washington advisers. "He's not a public interest lawyer anymore. He's got a base of three to five million people now who will listen to him if he goes out and tells them what to think."⁴⁷ Matters were also not helped by the inability of Nader and the ASGP to move quickly after the election to set up any kind of joint coordinating apparatus. In part, this was the continuation of an ongoing problem. Candidate campaign organizations and party committees always move to different rhythms and respond to different needs, but in the case of Nader and the Greens the disjunction was particularly troublesome. Not only had Nader started his campaign too late, in the view of many Greens, he now was taking his time setting up a postcampaign vehicle to fulfill his promises to build the party, watchdog the major parties, and recruit more candidates. On the other hand, the leaders of the ASGP didn't have any proposals of their own as to how to proceed. "When we get questions from reporters about what's happening with the Green Party," said Tom Sevigny, one of the ASGP's three co-chairs, "we try to defer everything to the state level." When the ASGP's steering committee met with Nader for several hours on a weekend in mid-November 2000, nothing solid was accomplished, according to several participants. "We don't want this to just be Ralph Nader's party, with us parading him out but having nothing underneath," Sevigny said, making the best of an awkward reality. "We have no control over Ralph," he added. "We take what we can get."⁴⁸

Tom Linzey, a lawyer who had been the ASGP's legal adviser for most of the mid-1990s, had a harsher view of the relationship. "It's inevitable that we'll become part and parcel of the Ralph Nader Party," he said. Why? "There's no money. Without it, and without us getting the 5 percent that we needed to get federal funds for 2004, Ralph is probably the only person who will be willing to step forward to run then." Linzey zeroed in on the imbalance in power between Nader and the Greens. "Ralph is bigger than the party. If he was really interested in helping the Greens raise serious money, rather than these \$5,000 to \$10,000 stops here and there that he's been doing, he would transfer his funding lists to us." The ASGP had been seeking access to Nader's list of campaign donors, but the most he had shared so far were lists of people who had contacted the campaign expressing interest in joining local party efforts, not contributors. "If Nader doesn't respond to questions about this it's because he doesn't have to," Linzey added, noting again that the Greens had no power to compel Nader to do anything.⁴⁹

Having just spent nine months traveling the country glimpsing the real state of local Green politics as he campaigned, Nader and his circle weren't about to blindly bind themselves to the party, however. "If I became a Green, then I'd have an official capacity, and I'd be asked to take sides," Nader insisted. "I wouldn't be able to appeal to a broader audience. I'd be pigeonholed, and everything the Greens say would be attributed to me." He also didn't want to take a central leadership

role. "I don't like to tell people within a party, do this and do that. I'm not that kind of kingmaker." Nader also was still thinking about how best to get the party's activists to develop their own democratic muscles. "I'm now the nation's expert on the weakness of the Greens' funding base," he said, half-joking. "Wherever I go, I tell them that they have to face up to it, they're not correlating their concern for the world with their contributions. Same with the Campus Greens—they're having a big discussion about whether they should have membership dues. There's a lot of money out there, but they don't like to ask for money or ask each other for money."⁵⁰

"There are three types of Green state parties," said Carl Mayer, a Nader confidant from Princeton, New Jersey, who was the campaign's treasurer and who ran for Congress as a Green in 2000, nearly costing the Democrats a House seat. "In New York and Missouri, it's crazyland, where people who aren't seriously interested in electoral politics are in control." Mayer was referring to leaders of the Greens/Green Party USA, who had bases in both states. "In California, New Mexico, Oregon, and maybe Washington, there are sophisticated, credible parties. But in the vast majority, they're well-intentioned people with little clue how to move forward." Mayer's goal was to ramp up those volunteers by "parachuting in organizers who would show local Greens how to develop their own leaders." But he agreed with Nader's reluctance to get drawn under the ASGP's shaky umbrella. "Why should Ralph submit himself to the Green Party?" he asked. "Why shouldn't he try to shape it?"⁵¹

Throughout the winter and spring of 2001, Nader and his inner circle deliberated how to move ahead. One proposal, advanced by his campaign manager Theresa Amato and top lieutenant John Richard, was essentially for a holding action. Their idea was basically to sidestep the Greens' internal affairs and instead to create a nonprofit group that would continue to put on super-rallies, nurture some new local leaders, and collect names. Greg Kafoury and Mark McDougal, who had pulled off all the super-rallies of the campaign, felt this was too limited. "We can't wait and see what's happening a year from now," McDougal said. "We have to maintain and build our ballot access, for one." This was not an insignificant issue, especially if Nader wanted to run again in 2004. He also feared that Amato and Richard's idea was too standoffish and would just alienate the Greens.⁵²

Fearful that vital momentum was being lost, Kafoury and McDougal flew to Washington at their own expense the first weekend in March to meet with Nader and the rest of his closest advisers. Afterward, Kafoury was euphoric. "We said to him, this is a unique opportunity to make a move. Bush is showing his true colors. Clinton is disgraced. The Democrats are without leaders. No one is setting a progressive agenda. He's the only one who can do it." Five hours of intense conversation ensued. The result, Kafoury said, was that "Nader is ready to throw himself fully and wholeheartedly into a political effort that will last for years. The thrust will be to create a big strong active Green Party along with broader groups that don't necessarily buy into the whole Green agenda." As for dealing with the Greens' internal needs, Kafoury said the solution was to grow and to give people things to do, rather than just things to talk about.⁵³

Conscious that no third party in twentieth century America has survived without a prominent national leader, but wary of doing all the heavy lifting himself, Nader promised that he would not step out in front of the Greens' own level of ability, no matter the demands or expectations placed on him. "There are 24 hours in a day, and I'm one person, that's the last thing I remember. They've got to start getting their own leaders and energy levels." His comments paralleled Jesse Ventura's similar reluctance to run around the country building Independence parties. "One of the first things I said to the Greens in 1996 is you show me time and energy and I'll show you time and energy. Dimension one is I will show them more time and energy than any one of them will, and that's not just the ability to get on the media. I'm still looking for them to match that. Dimension two—you want more than that, you're going to have to show me more. It takes two to tango. You can't push a string forward."⁵⁴

Even though he was critical of Nader's distance from the ASGP's structures and process, David Cobb sketched out a similar vision of Nader's role. "Nader can act in a constructive way by being the elder statesperson for the party, a position he has earned, continuing to provide leadership on issues and as a spokesperson, and to identify those folks who have demonstrated organizational capacity and help them out, but not to control it. At the end of the day it's our party to build and control. This cannot be the Nader party. It has to be a party of citizen activists who have rolled up their sleeves and

are saying, 'Damn it, democracy is at stake in this country, and we have to save it.'" Cobb was pointing toward a larger role for the Greens than just being an outlet for progressives upset with the rightward drift of the Democratic Party. "This isn't just about trying to force the Dems to the left. I don't believe that can be done, given how corrupted the party has become. It ought to be the political arm that reflects and helps to develop a larger people's movement. In Austin, we had over one thousand people marching in the street to protest the Fortune 500 meeting here. The last time that happened was a generation ago, during the nuclear freeze movement. This is a historically pregnant moment. Something is about to happen."

Toward Democracy in America

Is something about to happen? There is one scenario that some Greens with a sense of history talk about: that their emergence may mark the beginning of the end of the current two-party system and its replacement by a new one. John Berg, a political science professor at Suffolk University in Boston, has drawn a specific analogy to the rise of antislavery parties in the 1840s, the collapse of one of the two major parties, the Whigs, a few years later, and the birth of the Republicans. In 1840, the American Antislavery Society split, with one half supportive of running a candidate, James Birney, for president, and the other half more interested in taking direct action to help free slaves. Birney, the candidate of the newly formed Liberty Party, hardly ran a campaign, and was actually out of the country for most of the year. Four years later, the party nominated him again, and this time he ran for real and took 2.3 percent, enough to constitute the margin of victory in Ohio, Michigan, and New York, and more important, to tip the election from the Whig candidate, Henry Clay, to the Democrat, James Polk. Both major-party candidates were slaveholders, Berg noted, "but Polk was committed to the annexation of Texas and other proslavery causes, while Clay was more inclined to compromise. Texas was admitted in 1845 . . . adding a new slave state. Antislavery Whigs blamed the Liberty party; Liberty supporters retorted that the Whigs should have offered a better candidate. Whether condemned or praised, Birney's 2.3 percent proved that the issue of slavery could no longer be compromised or ignored."⁵⁵

The members of the Liberty Party were so committed to abolishing slavery that they refused to even work with antislavery members of the Democrats or Whigs, arguing that their participation in pro-slavery parties was immoral. Liberty's dogmatism precluded the party's expansion, but in the meantime another abolitionist party formed that wasn't quite as hard-line, the Free Soil Party. The Free Soilers were created after abolitionist Democrats and Whigs (known as "Barnburners" and "Conscience Whigs") walked out of their party conventions in early 1848. The new party got 10 percent of the popular vote in that election, but foundered after the Compromise of 1850, which temporarily quieted the nation's growing division over the slavery question. Two years later, when that compromise fell apart with the passage of the Kansas-Nebraska Act, which allowed the expansion of slavery, the resulting uproar led to the formation of the Republican Party, which combined Free Soilers with other antislavery Whigs and Democrats. The Whigs' collapse was also hastened by the brief rise of the Know-Nothing Party, which fed on anti-immigrant sentiment.

Could Nader and the Greens spark a similar political reformation with the issue of combating plutocracy as their moral crusade? It is likely that the activist passions inspired by the issue of corporate power will continue to grow. The protests in Seattle and elsewhere, after all, were just one manifestation of this global movement. But there's also no question that the American political system is nowhere near as flexible or open to new parties as it was in the 1840s and 1850s. Back then, a party formed when a critical mass of people came together and called themselves a party, nominated candidates, printed their own ballots, and persuaded people to take those ballots and vote for them. Cross-nomination, or fusion candidacies, were common. American mass society was just being created and the cost of communicating to one's fellow citizens was much lower than it is today, even with the Internet. And people's political consciousness was higher. The slavery issue confronted Americans with a daily moral dilemma. By comparison, the victims of corporate greed today are often hidden or far away. In addition, if the Greens or other dissenters allow their opposition to the

depredations of multinational capital to become in anyway linked to support or sympathy with the people behind the terrorist attacks of September 11, they will find their way forward completely blocked. And some opponents of the anti-globalizer will no doubt play that card against them.

Still, despite the obstacles presented by living in a modern postindustrial society with a million news outlets and a million diversions, real change can happen when individuals decide, one by one by one, to organize themselves and others to make it happen. "In order to do third-party politics, you've got to have true believers," said David Cobb, who during 2000 was Nader's Texas campaign coordinator. "We live in a two-bedroom cottage here, a little bungalow, and we turned our whole house into a campaign headquarters. The breakfast nook was an office, the garage was storage space, we had four computers networked through the house. We had a copy machine donated. It was crazy." But Cobb, who had taken a big pay cut to throw himself into organizing, was in it for the long haul. "You've got to have the kinds of people who believe in the principles and the values to throw themselves off the cliff," he said, reflecting on his own motivations. "I think third-party activists and organizers, something spoke to them in civics class in junior high. I can make myself all weepy eyed about 'We the People' and stuff like that. I really can."

In order to form a more perfect union, we the people need to support these kinds of challenges to the status quo. As Justice William O. Douglas of the Supreme Court once wrote,

All political ideas cannot and should not be channeled into the programs of our two major parties. History has amply proved the virtue of political activity by minority, dissident groups, which innumerable times have been in the vanguard of democratic thought and whose programs were ultimately accepted.

Douglas added that "the absence of such voices would be a symptom of grave illness in our society."⁵⁶ We need to support these voices, with our own dollars and time, as well as with the public guarantee of a level-playing field. That means—for all political parties and their candidates—fair treatment by the media, equal access to the ballot, full public funding as an option to replace dependence on wealthy special interests, inclusion in and expansion of debates and other public forums. We need to take seriously the problem of minority representation, and try some experiments with instant-runoff voting, multiple-member districts, and other forms of proportional representation. In a word, we need to apply antitrust thinking to the two-party duopoly.

Many of America's ills are related directly to the lack of genuine competition in the political arena. More competition would mean more mobilization of neglected voters, more voicing of disparate views, and greater attention to the solution of the nation's problems. Democracy, after all, is the greatest system ever invented for identifying and solving problems—when it is allowed to work. The great wonder of American democracy is that it has been open to changes in direction. With one exception — the Civil War—we have been able to resolve our differences through democratic means. When women demanded the right to vote, when workers demanded the right to organize, when blacks and gays and lesbians demanded equal civil rights — it is true that in each of these cases protest began on the streets, outside the electoral system, and many lives were sacrificed in these struggles. But ultimately the political system responded and expanded and changed direction.

In recent years American democracy has been losing its flexibility and, on some issues, becoming quite brittle and unresponsive. Today, at a time of rapid economic, social, and technological change, there are some fundamental questions about the direction of the country that are simply not being asked. People who are trying to ask them have been shunted to the margins of the major parties by the power of big money, and sometimes even gassed and shot at by water cannon in the streets of our major cities. Travel the country and you encounter not so much cynicism as disillusionment, a sense of betrayal, of being let down. Even as the country rallied together to face an external foe, these feelings lurked not far from the surface. People are angry about politics, but they have also been resigned to its failure.

This is not the way it ought to be. Politics encompasses everything that we can and must do *together*. It includes how we educate our children, design our communities and neighborhoods, feed

ourselves and dispose of our wastes, how we care for the sick and elderly and the poor, how we relate to the natural world, how we entertain and enlighten ourselves, how we defend ourselves and what values we seek to defend, what roles are chosen for us by virtue of our identity and what roles we create for ourselves. Politics, at least in the small-d sense of the word democratic, also means being able to ask—as a community, not just as isolated individuals—fundamental questions about where we're going as a country, what the future should be for the generations that follow. We need to be able to ask those questions and deliberate their solutions, loud and long. And to do so, we need third parties.

Endnotes

Introduction

1. In fact, the actual vote in Dixville Notch, New Hampshire, was 21 for Bush, 5 for Gore, and 1 for Nader. This was nowhere near as bad as the 1-out-of-80 vote that Nader thought he had heard on the news that morning, but at 3.7 percent it was a fairly accurate indication of his overall total. The town's voter registration is skewed with 16 Republicans, 9 independents, and just 2 Democrats.

In 1992, when Nader experimented with presidential politicking, asking people voting in the New Hampshire primary to write in his name as a stand-in for "none of the above" and as a protest vote for a renewal of democracy, he went up to Dixville Notch. "Only in New Hampshire do you travel four hours to meet eight voters," he reminisced later. Andre Marrou, the Libertarian candidate for president that year, worked the tiny hamlet even harder. The result then was Marrou, George Bush 9, Pat Buchanan 3, Nader 3, Clinton 3, and Paul Tsongas 2. Jim Cole, "Tiny N.H. Towns Cast Nation's First Votes," Associated Press, November 7, 2000.

2. ABC News press release, "Election Outcome: A Nation Divided," November 8, 2000. "Nationally [Nader's] supporters said that if it had been just a Gore-Bush race, 47 percent would've picked Gore, 21 percent Bush; the rest would have sat it out."

3. Theodore Lowi, "The Party Crasher," *New York Times Magazine*, August 23, 1992.

4. "Monopoly Politics Redux: Lopsided Congressional Races," Center on Voting and Democracy, www.igc.apc.org/cvd/op_eds/cong2000.htm.

5. John Whitesides, "Most Races for Congress Over Before They Start," Reuters, October 30, 2000. "Ten members of Congress have died since November 1992," Whitesides reported, "while only eight have lost in primary challenges."

6. Rob Richie, Center for Voting and Democracy, Update on Fair Elections, December 21, 1998, e-mail.

7. Center for Responsive Politics, www.crp.org. In 1998, 143 House candidates — the highest number in a decade — were financially unopposed, which means their opponents spent less than \$5,000 on their campaigns.

8. Center for Voting and Democracy, "Monopoly Politics 2000," <http://www.igc.org/cvd/2000/results.htm>.

9. Richard Winger, *Ballot Access News*, December 5, 2000, issue. In 1998, Winger reported, the frequency of one-party state legislative elections was even higher — 41.1 percent.

10. Wayne Barrett, "The Albany Glacier," *Village Voice*, December 5, 2000.

11. Kevin Sack, "Statehouse Journal; On the Bipartisan Bayou, a Brouhaha," *New York Times*, February 5, 1999.

12. Jane Mayer, "How the Democrats Learned to Love Tom DeLay," *New Yorker*, December 6, 1999. Jo Ann Matranga, the 2000 candidate against DeLay, got 36 percent of the vote.

13. A full list of Gush and Bore's "suffocating consensus" would also include their agreeing that:

- tens of billions of dollars in corporate welfare should go untouched;
- tax cuts on income should not include any change in the payroll tax, the tax that most affects the majority of working Americans;
- some form of ballistic missile defense should be built;
- health care reform is best governed by the private market;
- no moratorium on the death penalty is warranted, despite the danger of executing innocent people;
- jails should continue to fill with nonviolent drug offenders under "mandatory minimum" sentencing laws and those caught in "three strikes, you're out" laws;
- civil liberties come second to the fight against "terrorism";
- free trade comes before the interests of workers or the environment;
- gays should not be allowed to marry and should continue to be denied spousal Social Security, pension, and tax benefits, immigration rights, visitation rights, and so on;
- clean needle exchange should not be embraced as public health policy (though the medical community agrees that this is an effective AIDS-fighting tool);
- the federal minimum wage does not need to be enough to lift a family of four above the federal poverty level;
- there's nothing wrong with genetically modified foods;
- monetary policy is best made by an unaccountable Federal Reserve Board partially appointed by private bankers;
- Depression-era rules preventing banks, securities firms, and insurance houses from owning each other were properly repealed by Congress;

- the United States should continue to spend \$100 billion a year defending Europe and East Asia, even though our European and Japanese allies can afford to defend themselves;
- NATO should be used as a unilateral interventionist force in places like Yugoslavia;
- the United States was right to invade small countries like Grenada and Panama when our interests appeared threatened, but it was right not to intervene to end genocide in Rwanda;
- sanctions on Iraq and Cuba should be continued, despite their effects on civilians, while no similar conditions should be placed on China;
- the United States should oppose the empowerment of War Crimes Tribunals capable of bringing human rights violators to justice;
- U.S. energy policy should be founded on military support for the dictators of Saudi Arabia and the other oil kingdoms;
- relying on a narrow elite of wealthy, special interest donors is a fine way to finance election campaigns.

14. To be fair, an author more sympathetic to the right than this one could construct a parallel condemnation of Bush and Gore, only with more of a critique from the right than the left. From that perspective, the two men were indistinguishable because they said nothing about such issues as abolishing the Internal Revenue Service or the federal Department of Education, shutting down legalized gambling, ending diplomatic relations with China and Vietnam, or stopping the practice of abortion apart from so-called partial-birth abortions. And significant chunks of the public support these positions as well.

15. I will use the term "third party" in this book even though it is a misnomer. It implies that a two-party system is a natural fact of life, rather than an artificial construction propped up by state regulation. It also leaves out fourth and fifth and sixth parties, and so on. And it incorrectly fuels the impression that most Americans live in a two-party setting that is occasionally disturbed by a third-party challenge, when in fact for most elections most of us live in districts that are dominated by one party. Often, the third-party challenger is really the second party in the race!

16. J. David Gillespie, *Politics at the Periphery: Third Parties in Two-Party America* (Columbia: University of South Carolina Press, 1993); Immanuel Ness and James Ciment, *The Encyclopedia of Third Parties in America*, Volumes 1-3 (Armonk, NY: M. E. Sharpe, 2000).

17. These points are made in further detail by Theodore Lowi in "What's Wrong with the Two-Party System? Damn Near Everything, in Practice, Theory, and Ideology," paper presented at the opening plenary session of Independent Politics in a Global World, a conference held at CUNY Graduate Center, New York City, October 6-7, 2000.

18. In Maine, Massachusetts, Arizona, and Vermont, candidates who voluntarily agree to raise little to no private money can qualify for full public financing for their election campaigns. Depending on the office they are running for, they qualify by collecting a threshold number of small (e.g., \$5) contributions. They are then liberated from the private money chase and free to spend all their time meeting constituents and discussing issues. One-third of Maine's legislators and nearly one-fifth of Arizona's are currently "clean" incumbents. For more information, visit Public Campaign's website at www.publiccampaign.org.

19. In 1998, Democrat Harry Reid beat Republican John Ensign for the U.S. Senate seat from Nevada by just 428 votes; Libertarian Michael Cloud got 8,044 votes in that race, or about 2 percent. In 2000, Libertarian Jeff Jared got 64,734 votes in the Washington Senate race, or about 3 percent, arguably helping Democrat Maria Cantwell beat Republican Slade Gorton by 2,228 votes. John J. Miller and Ramesh Ponnuru, "The GOP's Libertarian Problem," *NationalReview.com*, March 19, 2001.

20. Gillespie, *Politics at the Periphery*, p. 10.

21. Until June 1998, citizens were allowed to gather signatures in front of all post offices, so long as the petitioners were not disruptive to postal business. The new policy prohibits "soliciting signatures on petitions, polls, or surveys" in front of any post office. The Initiative and Referendum Institute, ACLU, and a coalition of citizen groups, sued the U.S. Postal Service in June 2000, charging that this policy violates the First Amendment. The case was in the discovery phase as of July 2001, with the plaintiffs hoping for a summary judgment in their favor.

22. Those states are Arizona, Arkansas, District of Columbia, Hawaii, Maine, Massachusetts, Minnesota, New Jersey, Oregon, Rhode Island, Vermont, Wisconsin. It is very likely that third-party activity will expand in the four current Clean Elections states; already the availability of full public financing has produced more serious third-party candidacies in Vermont, Maine, and Arizona.

Chapter 8

1. The official Gore line on Nader for most of the year was well articulated by spokesman Doug Hattaway. Asked if he was worried about Gore losing support to Nader among labor and environmentalists, Hattaway said, "We are not taking their support for granted, but, at the same time, we are not quaking in our boots about Ralph Nader. The real choice in the election is between A! Gore and George Bush, and Al Gore is clearly the better choice." Thomas Edsall, "Nader Bid Complicates Gore's Task," *Washington Post*, May 25, 2000.

2. "I get all of Ralph's reports, and not once have I ever seen him lend his support to hate-crime legislation, to efforts to protect abortion rights or affirmative action. Not once!" Rep. Barney Frank told Pacifica Network News at the end of April. Furthermore, he added, "I work closely with all of the leading progressive groups in my state, and not one of them is excited about a Nader candidacy."

3. Susan Page, "Gore Targets Oil Industry," *USA Today*, June 26, 2000. Two days later, UPI reported that the Gore energy plan "had been developed with the assistance of a Gore adviser who also works for large power companies that could get millions in taxpayer subsidies under the plan." "Gore Energy Plan: Just What the Industry Ordered . . . Literally," United Press International, June 28, 2000.

4. For example, Gore said this on NEC's *Today* show on July 11, 2000: "The Republican leadership in the Congress is responding to wealthy special interests. . . . They control the Republican leadership's decisions. It is the same group that has been financing Governor Bush's \$100 million campaign. . . . The Republican leadership [needs] to start listening to their own people and their own moderate rank-and-file members and stop letting the special interests call the tune there. . . . The same group that is blocking the progress in the Congress is bankrolling [Bush's] campaign. They are all in it together."

5. "Special Report," Fox News Channel, July 5, 2000.

6. If Gore had been a real progressive populist, journalist Mickey Kaus quipped to David Corn, he would have started by shouting at his rallies, "I'm going to fight for us!" not "I'm going to fight for you!" (Gore's careful attacks on corporate targets did not scare them from donating millions to the Democratic Party). The vice president's inner circle included many top lobbyists for major multinationals, and no one in the business community was truly threatened by his speechifying. Indeed, the *New York Times's* Money & Business section reported that for all Gore's populist tub-thumping, "no sharp policy shifts are expected if he should move to the larger office down the hall at the West Wing." David Corn, "Let the Blame Games Begin," *TomPaine.com*, October 27, 2000; Jim Drinkard, "Dems Take Money from Groups Gore Bashes," *USA Today*, October 27, 2000; Stephen Labaton, "Business Awaits Its Regulator-in-Chief," *New York Times*, October 8, 2000.

7. Berke, "Nader is Rocking Gore's Boat," *New York Times*, June 23, 2000.

8. Lewis Lapham, "A Citizen in Full: Ralph Nader Campaigns for President with a Course in Civics," *Harper's*, September 2000.

9. To take, as an example, just the *New York Times*: First there was a sloppy attack on Nader by Anthony Lewis, a longtime liberal columnist. Lewis charged Nader with misrepresenting the real differences between Gore and Bush on the environment and the Supreme Court, and then perversely took him to task for not paying attention to the one area where Lewis thought Clinton-Gore and the Republicans had marched in lockstep, protection of civil liberties. Three weeks later Lewis felt obliged to issue a retraction, noting that Nader had indeed called Clinton's record on that topic "abysmal." The same day Lewis's original column ran, Michael Janofsky, one of the *Times* reporters on the third-party beat, delivered an old chestnut—the quadrennial story on all the obscure people running for president. Profiling the oddballs and zealots who had filed under all sorts of bizarre parties or as independents, his report had the effect of reminding readers there really were only two serious candidates in the race. And two weeks later, economic columnist Paul Krugman unburdened himself of an essay describing Nader as an "extremist" who wanted to "reeducate" Alan Greenspan—implying some kind of Maoist intention when all the candidate had said is that he wanted Greenspan to apply more humane criteria to his economic models. Anthony Lewis, "Dear Ralph," *New York Times*, July 8, 2000; Michael Janofsky, "Forget Third Party, These Presidential Hopefuls Offer Array of Choices," *New York Times*, July 8, 2000; Paul Krugman, "Saints and Profits," *New York Times*, July 23, 2000.

10. Phone interview with Theresa Amato, November 14, 2000.

11. David Umhoefer and Mike Nichols, "Moody and Checota in Close Race for Senate Nomination," *Milwaukee Journal*, August 16, 1992.

12. Until the early 1980s, the League of Women Voters had sponsored debates, but after the league invited independent candidate John Anderson to participate in 1980, the Democratic and Republican parties took it upon themselves to run the show. In 1985, Paul Kirk and Frank Fahrenkopf, then the respective national chairmen of the two parties, created the Commission on Presidential Debates, made themselves co-chairs and stocked its board with partisan allies. League of Women Voters president Nancy Newman condemned the new

commission on October 3, 1988, saying it was withdrawing its sponsorship "because the demands of the two campaign organizations would perpetrate a fraud on the American voter. It has become clear to us that the candidates' organizations aim to add debate to their list of campaign-trail charades devoid of substance, spontaneity, and answers to tough questions. The league has no intention of becoming an accessory to the hoodwinking of the American public." For this quote and much of the rest of this analysis, I am indebted to Jamin Raskin's excellent article, "The Debate Gerrymander," from the *Texas Law Review*, June 1999.

13. According to Harvard's Vanishing Voter Project, voter interest in the presidential campaign tripled after a weeklong series of multicandidate primary debates in January 2000. Citing this, *Washington Post* columnist E. J. Dionne wrote on January 17, "The lesson is that multiple debates work, and we should have them this fall." Cited in *Ballot Access News*, February 1, 2000.

14. Interview with Jamin Raskin in Denver, June 24, 2000.

15. A September 13 Zogby International poll showed that 58.7 percent wanted Nader to participate in the presidential debates. Senators Russ Feingold, Paul Wellstone, and Barbara Boxer, former Senator Howard Baker, Representative Jesse Jackson Jr., Governors Jesse Ventura and Gary Johnson, former Governor Mario Cuomo, former third-party presidential candidates John Anderson and Barry Commoner, and media figures Brian Lamm, John McLaughlin, Don Imus, Phil Donahue, and William F. Buckley all voiced support for Nader's inclusion. Many newspapers also editorialized in favor of including Ralph Nader in at least one presidential debate, including the *Washington Post*, the *Seattle Times*, the *Houston Chronicle*, the *Los Angeles Times*, the *San Francisco Chronicle*, the (St. Paul) *Pioneer Press*, the *Christian Science Monitor*, and the *Worcester Telegram & Gazette*. Nader 2000 press release, "Public Opposes Nader Debate Lock-out," October 3, 2000.

16. Raskin, *Texas Law Review*, p. 1963.

17. An inside source with access to the planning for the first debate told me it was clear well in advance of the event that the commission had no intention of inviting more than two candidates since the security arrangements backstage called for only two bathrooms!

18. On September 1, a U.S. District Court judge agreed that the Nader campaign had standing to sue the FEC for allowing corporate contributions to the Commission on Presidential Debates, but refused to issue an injunction against the FEC failure to act against the debate commission. On November 1, the First Circuit affirmed that ruling, and said the FEC was acting within the law. On April 30, 2001, the Supreme Court declined to take Nader's appeal. Acting Solicitor General Barbara Underwood, writing for the federal government, urged the High Court to stay out of the Nader case. "Although the Supreme Court has upheld some restrictions on corporate campaign spending, the FEC has latitude and is not required to adopt the most restrictive interpretation possible regarding corporate financial assistance to nonprofit, nonpartisan debate-sponsoring organizations," she wrote. Apparently, the Court agreed that the Commission on Presidential Debates, despite its pedigree, was a nonpartisan organization, as opposed to a bipartisan one. Anne Gearan, "Supreme Court Rejects Nader Debates Suit," Associated Press, May 1, 2001.

19. E-mail on the "Boston protest" to gpusa-talk@greens.org, October 4, 2000.

20. Nader 2000 press release, "Nader Demands Apology from Debate Commission for Unlawful Exclusion From Viewing Room," October 5, 2000; e-mail from Theresa Amato to author, March 7, 2001.

21. Philip Weiss, "The Snooty Snub Nader, But I Think He's Great," the *New York Observer*, September 25, 2000. He also pithily described how the anti-Nader drumbeat was taking hold. "All this social nyah-nyahing has had a dramatic effect. Once said to number close to 9 or 10 percent, we Naderites have been whittled down to 2 or 3 or 4. A month ago we were Vermonters who didn't comb our hair. Now we're lunatics."

22. According to Zogby, Nader's support rose from 5 to 7 percent in the days after the October 3 debate, and he was drawing 17 percent among self-identified progressives and 18 percent among independents. Carol Giacomo, Reuters News Service, October 5, 2000.

23. Public Policy Institute of California poll, conducted October 18-19, surveyed 1,096 likely voters; margin of error +/- 3.5 %.

24. Zogby tracking poll, conducted October 26-28 for Reuters/MSNBC, surveyed 599 likely Wisconsin voters; margin of error +/- 4 %.

25. Mason-Dixon poll, conducted October 26-27 for the *St. Paul Pioneer Press*; margin of error +/- 4 %.

26. *New York Times* poll, conducted October 12-15, surveyed 908 registered New Jersey voters; margin of error +/- 3 %.

27. Brown University poll, conducted October 21-22 for the *Providence Journal*, surveyed 370 likely Rhode Island voters; margin of error +/- 5 %.

28. American Research Group poll, conducted October 20-24, surveyed 600 likely Oregon voters; margin of error +/- 4 %.

29. American Research Group poll, conducted September 11-17, surveyed 600 likely Alaska voters; margin of error +/- 4 %.

30. Press release, "One in Seven Likely Voters Still Undecided on a Presidential Candidate," Vanishing Voter Project, October 18, 2000.

31. Carla Marinucci, "Women, Gays Say Nader Not Defending Their Rights; Groups Maintain That Vote for Him Is Vote for Bush," *San Francisco Chronicle*, September 14, 2000.

32. Gloria Steinem took Nader to task for trying to get 5 percent of the vote to build the Green Party, for reminding people of Gore's original pro-life position on abortion when he was a congressman, for supposedly ridiculing the use of the word "patriarchy," for having chosen a Native American as his vice presidential candidate, and for the danger that a Bush Supreme Court would turn back the clock on women, gays, and the environment. My personal favorite Steinem "reason" was number nine: "He was able to take all those perfect progressive positions of the past because he never had to build an electoral coalition, earn a majority vote, or otherwise submit to democracy." Somehow, Steinem didn't see entering the presidential campaign with a vigorous campaign as "democracy" — or maybe she thought majority rule meant minority voices had to "submit" by shutting up. Nader responded to the "patriarchy" charge by saying, mildly, that he preferred to use less academic-sounding terms like "equal rights."

33. Unlike most other democratic critics of Nader, this group made a respectful, but obviously unsuccessful, appeal to his conscience and legacy. Gar)' Sellers, et al., "An Open Letter to Ralph Nader," www.naidersraiders-forgore.com.

34. NARAL's anti-Nader TV ad ran in Oregon, Minnesota, Wisconsin, Washington, Maine, Vermont, and New Mexico. Ronald Brownstein, "Liberals Beat Drum for Gore, Hope Nader Backers Listen," *Los Angeles Times*, November 1, 2000.

35. The League of Conservation Voters radio ads aired in Santa Fe and Albuquerque, N.M., Portland, Maine; Tallahassee and Gainesville, Fla.; Madison, Wis.; Eugene, Ore.; and Seattle, Wash., according to the group. The Sierra Club focused on Oregon, Washington, Wisconsin, Minnesota, and Maine, and even placed ads in alternative newspapers popular on college campuses in Oregon and Wisconsin. The People for the American Way ad also ran in Oregon and Wisconsin. See Brownstein, "Liberals Beat Drum for Gore."

36. E-mail from Rob Richie, Center for Voting and Democracy, November 20, 2000.

37. Steve Cobble, "Your Vote Doesn't Matter: It's the Electoral College That Picks the President," TomPaine.com, September 29, 2000. Drawing indirectly on Cobble's advice, New York philanthropist Greg MacArthur announced that he was spending \$320,000 of his own money to pay for ads in the national edition of the *New York Times*, along with regional papers and weeklies in New York, Massachusetts, California, Texas, and Colorado explaining that "in this state, a vote for Nader is not a vote for Bush." MacArthur was hoping to help Nader get over the 5 percent threshold nationwide, "and since he was shut out of the debates and shut out of everything else, this is the best I can do." After a poll showed that Gore's lead in California had shrunk to just 5 percent, MacArthur announced that he wouldn't run his "Citizens for Strategic Voting" ads there. Jennifer Bleyer, "Nader's Angel Pulls Ads, Defends Legality," Newsforchange.com, October 25, 2000.

38. Editorial, "Mr. Nader's Electoral Mischief," *New York Times*, October 26, 2000.

39. Editorial, "Al Gore in the Home Stretch," *New York Times*, November 3, 2000.

40. "Concerned Scholars, Writers and Activists 2000," *Salon.com*, November 1, 2000. The signers were, as listed: Benjamin Barber, Rutgers University; Paul Berman, writer and critic; Marco Calavita, film critic; Ellen Chesler, writer and critic; Mitchell Cohen, City University of New York, *Dissent*; Bogdan Denitch, City University of New York; Ronald Dworkin, New York University; Dagoberto Gilb, writer; Todd Gitlin, New York University; Francisco Goldman, writer; Mar; Gordon, novelist and critic; Hendrik Hertzberg, the *New Yorker*; John B. Judis, the *New Republic*; David Kusnet, writer and critic; Jeremy Lamer, writer and critic; Wendy Lesser, the *Threepenny Review*; Harold Meyerson, *Los Angeles Weekly*; Toni Morrison, Nobel laureate, novelist, and critic; Jo-Ann Mort, Open Society Fund; Brian Morton, novelist and critic; David Osborne, writer; George Packer, novelist and critic; Jayne Anne Phillips, novelist; Gloria Steinem, writer and activist; James Shapiro, Columbia University, Ruy Teixeira, Century Foundation; Siva Vaidhyanathan, New York University; Judith B. Walzer, formerly New School University; Michael Walzer, Institute for Advanced Study, *Dissent*; Jim Weinstein, *In These Times*; Sean Wilentz, Princeton University.

This group also accused Nader of saying that "the repeal of *Roe v. Wade* would be of little consequence," and said he was "never a champion of women's rights." In fact, Nader said that he did not believe that the GOP would support the repeal of *Roe v. Wade*, since that would split the party and threaten it with permanent minority status. He did make an unfortunate remark to the effect that if that Supreme Court ruling was overturned, the abortion issue would just revert to the states. Barbara Ehrenreich, a leading feminist supporting Nader, tried to address this conflict by pointing out that feminism included more than abortion rights. "While we retained

abortion rights under the Clinton-Gore administration," she wrote, "we lost welfare — a blow not only to the about 4 million women who depended on it in 1996, but to uncouncted others who would have turned to it as an escape from a violent relationship. For this and other reasons, political scientist Gwendolyn Mink has called welfare reform 'the most aggressive invasion of women's rights in this century.' The extent of the damage—in increased hunger, homeless, and possibly infant mortality—is just beginning to emerge. In the meantime, Gore boasts of welfare reform and even claimed, in his acceptance speech at the Democratic Convention, to have been the major force behind it. There are, in other words, feminist reasons to reject Gore and to fear a Gore administration." Nader 2000 press release, "In Open Letter to Women, Leading Feminist Supports Nader," November 3, 2000.

41. Robert F. Kennedy Jr., "Nader's Threat to the Environment," *New York Times*, August 10, 2000.

42. Ralph Nader, Letter to the Editor, *New York Times*, August 12, 2000.

43. The ASGP's statement was big news in the Jewish press and was quickly added to anti-Nader propaganda being circulated by Democrats. The Jewish Anti-Defamation League was also quick to condemn Nader for allegedly wanting to cut off aid to Israel. The result? According to the Voter News Service exit poll, Nader received only 1 percent of the vote of a very liberal minority that had earlier disproportionately supported his candidacy. Nacha Cattan, "Nader's Green Party Calls for Halt of Aid to Israel," *The Forward*, October 27, 2000; James Besser, "Nader Blasts Israel," *New York Jewish Week*, October 27, 2000; U.S. Newswire press release, "Israel Not to Blame for Middle East Violence, Says Anti-Defamation League to f<alph Nader," October 25, 1999.

44. Joshua Micah Marshall, "Long Knives for the Naderites," *The American Prospect*, www.prospect.org, November 3, 2000. The "Concerned Scholars, Writers and Activists 2000" group also claimed that Nader was "aggressively" focusing on votes "in vital toss-up states."

45. Phone interview with Steve Cobble, September 27, 2000.

46. ABC News press release, "Half of Nader's Supporters May Bail," October 26, 2000. The ABC News tracking poll found that 56 percent of Nader's supporters said that they might change their minds; only 44 percent were definitely for him. Of the waverers, six in ten said there was a good chance they would switch.

47. Phone interview with Steve Cobble, October 22, 2000.

48. Ethan Wallison, "Democrats Hit the Road to Stop Nader," *Roll Call*, October 30, 2000. Senator Wellstone distinguished himself by keeping his argument with Nader on a high plane. "I disagree with those who accuse Nader of embarking on a self-indulgent crusade or a wrecking-ball candidacy. By raising vital issues such as the domination of our politics by corporate money, increasing economic inequality, and the impact of our trade policies on global living standards, the environment and human rights, Ralph Nader has made an enormously valuable contribution to this campaign," he wrote in an op-ed piece. As a progressive Democrat, Wellstone was sharply critical of his party's performance on the issues of trade and welfare reform. But he insisted the differences between Gore and Bush outweighed the similarities. Paul Wellstone, "A Bush Victor) Would Be Too High a Price to Pay for Nader Vote," *Minneapolis Star-Tribune*, November 3, 2000.

49. Celebrities like Martin Sheen, Rob Reiner, and Melissa Etheridge also helped with the anti-Nader call.

50. This reconstruction of the Nader campaign's strategic decision making in the final weeks of the campaign is based on several reporting trips I took with the candidate during that period as well as conversations with several of his top aides and advisers. In the interests of full disclosure, I should note that at times during the campaign, Nader and some of his aides asked for my informal advice on various matters, including this question of his final itinerary, and I freely offered my thoughts.

51. Ohio, Iowa, Pennsylvania, Michigan, Minnesota, Wisconsin, Florida, New Hampshire, and Maine were all toss-ups in late October, according to a poll summary published in the *Hotline* on October 27, 2000. New Jersey, New York, Illinois, Colorado, California, Washington, Massachusetts, and D.C. were not.

52. Here is Nader's campaign itinerary for the last month before Election Day, as supplied by Jeanna Penn, Nader 2000's scheduler. It is clear that he spent more time in "safe" states than he did in "toss-ups."

10/7/00 New York City

10/8/00 New York City

10/9/00 Washington, D.C.

10/10/00 Michigan/Illinois

10/11/00 Kentucky

10/12/00 Florida

10/13/00 Florida/NYC

10/14/00 NYC

10/15/00 New Jersey

10/16/00 Washington, D.C.

10/17/00 Missouri
10/18/00 Texas
10/19/00 Texas
10/20/00 So. California
10/21/00 Central California
10/22/00 No. California
10/23/00 No. California
10/24/00 Arizona
10/25/00 Washington, D.C.
10/26/00 Ohio
10/27/00 Iowa
10/28/00 Pennsylvania/New Jersey/NYC
10/29/00 Washington, D.C.
10/30/00 Washington, D.C.
10/31/00 Michigan/Minnesota
11/01/00 Illinois/Wisconsin
11/02/00 Washington/Colorado
11/03/00 California (Long Beach super-rally)
11/04/00 Florida
11/05/00 Washington D.C. (MCI super-rally)
11/06/00 NYC/Massachusetts/New Hampshire/Maine
11/07/00 Pennsylvania

53. Nader's somewhat surprising appeal across party lines in New Hampshire in 1992 was reflected in the large crowds who came to his rallies, ranging from middle-aged men with gun racks on their pickups to young professionals bothered by high real estate prices to the familiar ponytailed Birkenstockers. He had recently led a successful populist uprising against Congress's attempt to vote itself a pay raise and his stock was high on talk radio dials across America.

54. Eric Alterman, "Not One Vote," *The Nation*, November 13, 2000.

55. While Nader didn't get many other organizational endorsements, he received the support of prominent blacks, feminists, and environmentalists, including Randall Robinson of TransAfrica, black intellectuals Cornel West and Manning Marable, writers Barbara Ehrenreich and Meredith Tax, and activists David Brower, Randy Hayes of the Rainforest Action Network, and Tim Hermach of the Native Forest Council.

56. In some wards in Madison, Nader got more than 20 percent of the vote. He also got 14 percent in Cambridge, Massachusetts, and 12 percent in Boulder, Colorado.

57. Voter News Service exit polls from www.cnn.com and Election Data Services postelection map and analysis published by *Roll Call* and the Associated Press. Out of 3,153 counties nationwide, Nader drew more than 2.65 percent in just 832 of them.

58. In Wyoming, according to Richard Winger, Nader polled 7.3 percent in Teton County, and 7 percent in Albany County on write-ins alone. His write-in tallies statewide were 2.1 percent there, 2.5 percent in Idaho and .8 percent in Indiana. The previous record for a presidential write-in was .7 percent for independent candidate Eugene McCarthy in California in 1976. *Ballot Access News*, January 1, 2001.

59. "In 2000, three sitting city councilmembers switched to the Green Party — Larry Barnett, Mayor, Sonoma, CA, Brian Laverty, Borough Council, Blossburg, PA and Katie Scheib, Borough Council, Lewisburg, PA. Two more switched in the midst of their campaigns, before they were elected—Anna Braun, City Council, Salem, OR and Matt Gonzalez, Board of Supervisors, San Francisco, CA. Still one more switched to Green after being elected, but before being sworn in — Marc Sanchez, Board of Education, San Francisco." *Green Pages*, winter-spring 2001.

60. E-mail from David Cobb, ASGP legal adviser, to author, February 27, 2001. Nearly all of those states required that local Greens either conduct registration drives or draw a minimum percentage of the vote for a statewide candidate by 2002 in order to maintain their ballot status.

61. Phone interview with author, November 13, 2000. According to Hillsman, the campaign's second TV ad (depicting kids contemplating their future —a parody of a Monster.com ad—which evoked the campaign's essentially humanistic and uplifting purpose) ran in Washington, California, Oregon, New Mexico, Minnesota, Wisconsin, Massachusetts, Maine, Vermont, Iowa, and Colorado in the last four days before the election.

62. Phone interview with Ralph Nader, November 22, 2000.

63. Bill Bradley, "New West Notes," September 22, 1999.

64. *NBC/Wall Street Journal* poll, conducted March 2-5, 2000 by Hart/Teeter; 1,213 adults surveyed; margin of error +/-2.9%. The poll put Bush at 34 percent, Gore at 33 and McCain at 24.

65. According to Dan Johnson-Weinberger, Nader also had a chance to get the endorsement of New York's Independence Party. But state Green Party activists fought this, arguing that it would undermine their local candidates. Though more than one party could endorse a candidate under New York's fusion law, as the larger party the Independence line would appear first on the ballot. If Nader took the Independence line, New York Greens feared people would vote for Nader and never spot the other Greens running. Bowing to their concerns, Nader downplayed the opportunity and skipped going to the Independence Party convention. John Hagelin of the Natural Law Party and anti-Buchanan faction of the Reform Party made the trip and personally promised his support for Independence's other state candidates. And that was all it took to get the party's endorsement. One Nader aide estimated that this misjudgment cost him as many as two hundred thousand votes in New York. This strikes me as high, as Hagelin got less than twenty-five thousand votes from his Independence Party line there. Phone interview with Dan Johnson-Weinberger, October 1, 2000.

66. Vanessa Daniel, "Ralph Nader's Racial Blindspot," *Colorlines*, fall 2000; Salim Muwakkil, "Nader's Curious Lack of Black Support," *Chicago Tribune*, October 16, 2000.

67. "Although the most emotionally outrageous things come from racial issues, we have to connect them to the larger picture of class," Nader told a group of minority leaders in Milwaukee. "It would be a mistake if we concentrate just on race and not class." Laura Flanders, "Ralph's People Problem," *In These Times*, October 16, 2000.

68. "I hate to use military analogies, but this is war on the two parties," Nader told David Moberg of *In These Times* magazine. "After November we're going to go after the Congress in a very detailed way, district by district. We're going to beat them in every possible way. If [Democrats are] winning 51 to 49 percent, we're going to go in and beat them with Green votes. They've got to lose people, whether they're good or bad. They've got to lose people to be put under the intense choice of changing the party or watching it dwindle." From this, Moberg reported that Nader was willing to "sacrifice" progressives like Russ Feingold or Paul Wellstone. David Moberg, "Ralph's Way: Will His Strategy Work?" *In These Times*, October 30, 2000.

69. Ralph Nader, "Letter to the Editor," *New York Times*, August 12, 2000.

70. Phone interview with Ralph Nader, November 22, 2000.

71. Greens on the ground in those progressive hotbeds had their own way of dealing with the dilemma. In Madison, they reached an accommodation with progressive Democratic Representative Tammy Baldwin that had hundreds of local Greens carrying "Nader-Baldwin" palm cards to voters and Baldwin publicly expressing respect for Nader. In Santa Fe, leading Greens, city council member Cris Moore, deliberately downplayed their support for Nader in an effort to drum up more support for local candidates who they thought had a real chance to win. Melissa McDonald got 46 percent in her bid to become a county commissioner. Says Moore, "If I could avoid conflict with a potential voter by not bringing up the presidential race, I did. I suspect other Greens did the same . . . and Melissa got lots of crossover votes from Gore-ites. This shows a tricky conflict: in the places where we're most organized, we actually have something to lose in terms of local candidates and officeholders. While progressives often support our local candidates, we risk conflict with them on the high-level races. In places where the Greens were new, they could afford to go full-bore on the Presidential race, since they didn't need progressives' support for local races." John Nichols, "The Online Beat," *The Nation* website www.thenation.com, November 4, 2000; e-mail from Cris Moore to author, November 28, 2000.

72. Phone interview with Ralph Nader, November 22, 2000.

73. The group of Butte County Green Party members were actually wearing flesh-colored tights and "Nader for President" sashes when they rushed onto a concert stage in the Chico city plaza before a crowd of college students gathered for a show. The stunt got them on the front page of the local paper and was proudly displayed on a table outside a Nader rally there in October. Chris Martin, "Nude for Nader," (Chico) *Enterprise Record*, September 29, 2000.

74. Ventura is also for gun rights, tort reform that would restrict compensation of victims, and free trade on corporate America's terms. He also did color commentary for the now defunct XFL, the Xtreme Football League. Well, you can't be perfect—and he has a point when he says that tickets to NFL games have gotten too expensive for average families. Jesse Ventura, *Do I Stand Alone?* (New York: Pocket Books, 2000). pp. xx—xxi, 88—176.

Chapter 11

1. Parties autonomous in just one state were, as of 2001, the Alaskan Independence Party; Aloha Ina Party of Hawaii; the Republican Moderate Party of Alaska; the Conservative parties of New York and New Jersey; the Consumer Party of Pennsylvania; the Cool Moose Party of Rhode Island; the Independence parties of Minnesota, New York, Delaware, and Connecticut; the Independent American Party of Utah; the Liberal Party of New York; the Mountain Party of West Virginia; the Peace and Freedom Party of California; the Right-to-Life Party of New York; the Liberty Union Party of Vermont; the Grassroots Party of Vermont; the Progressive Party of Vermont; and the Working Families Party of New York.

2. The sectarian parties include the Anarchists, the Communist Party, the Constitution Party (formerly known as the U.S. Taxpayers Party), the Natural Law Party, the National Socialist White Peoples Party (successor to the American Nazi Party), the Progressive Labor Party, the Prohibition Party, the Revolutionary Communist Party, the Socialist Equality Party, the Socialist Labor Party, the Socialist Party, the Socialist Workers Party, and the Workers World Party.

3. Jonathan D. Salant, "Buchanan Vote May End Reform Party," Associated Press, November 7, 2000; Carolyn Barta, "Verney's Exit Could Signal End of Reform Party," *Dallas Morning News*, April 19, 2001.

4. Not only do Americans want more choices, they instinctively oppose efforts to unfairly restrict access to the ballot as fundamentally undemocratic. In 1998, Floridians got a chance to prove their interest in a level-playing field when they voted overwhelmingly in favor of an amendment to the state constitution providing for equalized access to the ballot for all parties. A poll commissioned by the Florida Constitution Revision Commission that pushed for the change showed that 66 percent of voters favored eliminating the requirement that minor-party and independent candidates collect huge number of petition signatures, while major-party candidates were allowed to pay a modest filing fee. When those voters were told specifically that the revision would make it easier for independent candidates to get on the ballot, 82 percent said that fact would make them be more likely to vote for it. Deborah O'Neil, "Minor Parties Push for Equal Access to Ballot," *St. Petersburg Times*, August 3, 1998.

5. In 1996, the Libertarian Party spent about 10 percent of its national campaign budget to get its presidential candidate on the ballot, compared to 30 to 35 percent in 1980, according to party officials in charge of petition drives. By 2000, it projected having to spend only about r percent, according to Steven Dasbach, the party's national director. "Most of the state Libertarian parties are strong enough to do it themselves," he told me. Phone interview with Eric O'Keefe, former national director of the Libertarian Party, August 28, 1998; Interview with Steven Dasbach at the Washington College of Law conference on "The Two-Party System and Its Discontents," May 13, 1999.

6. On July 9, 1999, the *New York Times* published the following letter to the editor complaining about the practice:

To the Editor:

Hillary Rodham Clinton's "listening tour" (news article, July 7) of New York State comes to Albany on July 9. Mrs. Clinton's appearance is advertised as support for Representative Michael R. McNulty's re-election campaign. I wanted to attend to hear a potential United States senator and Mr. McNulty, who is my Congressman. When I called the number listed in a local newspaper advertisement, I was told that the minimum admission for a retired senior citizen is \$50 and that Mr. McNulty had lowered the entry fee so as not to drain constituents. Other tickets are available for \$200 and \$500. No other appearance in the Albany region is planned at this time. For the state capital's part of "the listening tour," only money talks.

We need campaign finance reform.

Francis W. Rodgers, Rensselaer, N.Y., July 7, 1999.

7. These included "reform of absentee voting procedures, ballot design, voter registration and purging of voter lists, recount procedures and standards for counting votes to poll worker training, voter education, restrictions on exit polling and media predictions, procedures for appointing electors, and the establishment of funding, standards or procedures for updating voting technology." Testimony of Martin R. Stephens, Utah House Speaker, and John A. Hurson, majority leader of the Maryland House of Delegates, before the U.S. House Administration Committee, April 25, 2001.

8. The Florida bill, which was swiftly praised by the *New York Times* and other newspapers, also failed to address other problems. It did not extend voting hours past 7:00 P.M., despite many reports of overcrowded polling sites. Nor did it require that top election officials be nonpartisan, a basic rule that American officials always apply when they act as observers of foreign elections. The bill did ban the use of punch cards and clarified the use of manual recounts and provisional ballots, important technical improvements. It also called for better voting hardware and training of poll workers, without providing sufficient funding for these goals. Dan

Hendrickson, "Florida's Electoral Reform Act: A Long List of (Deliberately) Missed Opportunities," *The Pelican* (Sierra Club Florida newsletter), summer 2001, Vol. 33, No. 2.

9. After the California State Assembly passed a bill allowing same-day voter registration, Governor Davis's press spokesman said he was opposed to it. "The governor thinks an effort should be made all year long leading up to an election to register people," Michael Bustamante said. "It shouldn't be left up to the last day." Lynda Gledhill, "Assembly OKs Looser Rules for Voting," *San Francisco Chronicle*, June 3, 1999.

10. Phone interview with Patrick Caddell, November 5, 1998. Caddell was on MSNBC Election Night, 1998.

11. Micah L. Sifry, "Body Slam," *Salon.com*, November 6, 1998, <http://www.salon.com/news/i9g8/ii/o6newsb.html>.

12. "It is a place for malcontents and disconnects, third-rate politicians and pamphleteers with bleeding ulcers. It is a big teepee, with no flap—where Patriot party members smoke the peace pipe with neo-Marxist New Alliance loyalists," wrote Matt Labash in the *Weekly Standard* ("Body Slam: Jesse Ventura, Ross Perot, and the Lunacy of the Reform Party," August 9, 1999) "The crazy aunts have come out of the basement," wrote Dana Milbank in the *New Republic* ("Amateur Night," August 16, 1999), describing some of the strange characters seeking the Reform Party's presidential nomination. He ended his article by noting Gargan's election and saying that would carry on "at least part of the Perot legacy. The new chairman, I notice at Gargan's press conference, has enormous ears."

One wishes that such talented journalists would feel as free to turn their poison penmanship at the truly powerful in America, as opposed to those average citizens who simply dream about opening up the political system to a little change. But such writing about the powerful is rare, for all sorts of obvious reasons.

13. "Who Will Be a Third-Party Presidential Candidate in 2000?" *Crossfire* transcript, July 13, 1999.

14. Editorial, "Mr. Nader's Misguided Crusade," *New York Times*, June 30, 2000.

15. Editorial, "Stop Arguing and Start Debating," *New York Times*, August 22, 2000.

16. Editorial, "Exclusionary Politics in New York," *New York Times*, January 29, 2000.

17. Editorial, "Third Parties in Pennsylvania," *New York Times*, July 5, 1997.

18. Jamin Raskin, "The Debate Gerrymander," *Texas Law Review*, June 1999, Vol. 77, No. 7.

19. Phone interview with Dean Barkley, April 30, 2001.

20. Phone interview with Phil Madsen, May 1, 2001.

21. See chapter 2.

22. Terry Bouricius, *Building Progressive Politics: The Vermont Story* (Madison: Center for a New Democracy, 1993); Greg Guma, *The People's Republic: Vermont and the Sanders Revolution* (Shelburne, Vt.: New England Press, 1989); Bernie Sanders (with Huck Gutman), *Outsider in the House* (New York: Verso, 1997).

23. Phone interview with Ellen David-Friedman, June 4, 2000.

24. Proof that the Progressives had developed a secure base in Burlington came from the fact that Bouricius was essentially able to hand his seat to a fellow Progressive, not fearing that if he left elective office, the seat would fall back into major party hands.

25. Phone interview with Ellen David-Friedman, May 1, 2001.

26. Phone interview with Terry Bouricius, April 30, 2001.

27. Press release, "Working Families Party Statement on the Presidential Election," December 15, 2000.

28. Phone interview with Bob Master, April 27, 2001. 2g. Phone interview with Zach Polett, March 23, 2001.

30. E-mail from Zach Polett to author, March 21, 2001.

31. Among the groups interested in spreading the New Party model, according to party director Jim Fleischmann were "ACORN, HERE [the hotel and restaurant employees union], the unions affiliated with the WFP that are having a positive experience with it like the CWA and UAW. In Oregon we have the postal carriers, the CWA, and the SEIU. In Arkansas, it's a lot of folks from SEIU. In Montana, it's groups like Montana People's Action and the Women's Opportunity Resource Development [a feminist group]." Phone interview with Jim Fleischmann, April 16, 2001.

32. Joel Rogers, the group's founding chair, stepped down in 1998 and said he was out of the third-party business. After Daniel Cantor moved to New York to help build the WFP in early 1998, the New Party went without an executive director until the middle of 2001. That was when Fleischmann, a veteran organizer who had previously run the Montana People's Alliance and Oregon Action, came on board. In the interim, the party's website stagnated, its national newsletter stopped appearing, and membership dropped to about six thousand, according to Zach Polett.

33. Phone interview with Secky Fascione, April 3, 2001.

34. L. Neil Smith, "Target G.O.P.: At Last, a Libertarian Party Strategy," *Libertarian Enterprise*, June 1, 1997.

35. John Miller and Ramesh Ponnuru, "The GOP's Libertarian Problem," *NationalReview.com*, March 19, 2001, <http://www.nationalreview.com/daily/nrprinto31901.html>.
36. Libertarian Party press release, October 23, 2000.
37. Libertarian Party press release, February 25, 1997.
38. Here is Ventura being interviewed by Fox News' Catherine Crier:
Crier: "Is it fair to call you a libertarian, or do you have a place you establish yourself?"
Ventura: "Libertarian would be pretty close. You know, if you meet libertarian people, I don't know if you've ever met them, Catherine, they all have these cards that [have] 10 questions they give you and they rate you 30, 20, and 10 points. I've scored perfect on it before." Crier: "I've got a label for you, then." Ventura: "What's that?" Crier: "Libertarian."
Ventura: "Oh, yes and no. I mean libertarian. I suppose, it's not a bad label. You know, I'll accept that."
CNN, *The Crier Report*, December 14, 1998.
39. James Foster, "Jesse Ventura: The Good (and Bad) News," LP News, January 1999.
40. Blois Olson and David Erickson, "Cato This," MN-Politics.com, April 16, 1999.
41. Ventura also called Libertarians "anarchists," saying, "They're against everything, virtually, that government—you know they don't think there should be government — that's why I call them anarchists now." Blois Olson and David Erickson, "The Political Education of a Governor," MN-Politics.com, May 21, 1999.
42. Phone interview with Cisco McSorley, July 31, 1998.
43. Suzanne Dougherty, "Green Party's Red Light Could Affect N.M. House Race," *Washington Post*, February 16, 2000; Gilbert Gallegos, "Green Party Struggles to Maintain Strength, Credibility In 2-Party System," *Albuquerque Tribune*, June 6, 2000; Dennis Domrzalski and Valeric Yarberry, "Thunder Dan," *Weekly Alibi*, November 2-8, 2000.
44. Phone interview with David Cobb, February 9, 2001.
45. In fact, this very idea was suggested to him by Steve Cobble.
46. Actually, Medea Benjamin tried valiantly to express support for the people protesting the violation of their voting rights but was physically barred from several public meetings organized by Democrats.
47. Phone interview with Steve Cobble, February 6, 2001.
48. Phone interview with Tom Sevigny, April 12, 2001.
49. Phone interview with Tom Linzey, April 2, 2001.
50. Phone interview with Ralph Nader, April 13, 2001.
51. Phone interview with Carl Mayer, March 27, 2001.
52. Phone interview with Greg Kafoury and Mark McDougal, February 22, 2001.
53. Phone interview with Greg Kafoury, March 8, 2001.
54. Phone interview with Ralph Nader, April 13, 2001.
55. John Berg, "Historical Perspective on Ralph Nader's Campaign," November 12, 2000, [http:// world.std.com/~jberg](http://world.std.com/~jberg).
56. Justice William O. Douglas, concurring in *Williams v. Rhodes*, 1968.