

Fusion Voting

Prepared Testimony of J. W. Mason, National Open Ballot Project

My name is Josh Mason. I work for the National Open Ballot Project, a small non-profit devoted to educating legislators, citizens and opinion makers about election reform, specifically open ballot voting, or fusion.

Thank you for the opportunity to speak to you today. We are witnessing an upsurge of interest today in election reform. This interest is motivated in part by the 2000 presidential election and its aftermath, as well as more recent election scandals and controversies, in part by concern over declining voter turnout, and in part by a broadly shared realization that the world's oldest and greatest democracy must modernize its voting systems if it wants to serve as a model for a democratizing world in the 21st century. Fusion is a small, but I would argue, valuable piece of the larger reform project. And just as Oregon has led the way in other areas of election reform, I am hopeful it can lead the way in reviving fusion voting.

What is fusion voting?

Fusion, also known as open ballot voting, is a simple reform that gives candidates for elected office the freedom to run with the endorsement of more than one political party.

Throughout the 19th century, fusion was used in nearly every state of the union, including Oregon, where many legislators and at least one governor were elected through fusion in the years around 1900. Today, fusion is legal in only seven states, and commonly used in only New York, Connecticut, and more recently South Carolina. But as voter participation drops and more and more citizens feel disconnected from the political process, far-sighted legislators across the country are turning toward fusion legislation as a way to reinvigorate elections. Today's hearing is a case in point.

Unlike some election reforms, fusion is simple. Voters get a choice of candidate *and* a choice of party.

Parties gain ballot status and nominate candidates exactly as they do now. But candidates may gain the nomination of more than one party if they wish and if members of other parties support them. Candidates appear on the ballot once for each party that has nominated them. Votes for each party are

tallied separately, but all of a candidate's votes are added to determine the winner.

Two typical fusion ballots are attached.

How fusion strengthens democracy

There are several advantages to fusion. First, it makes for a more informative ballot. Second, it gives a voice to citizens who feel alienated from the two major parties. Third, it solves the "spoiler" problem facing minor parties in our current system.

1- A More Informative Ballot. Today, voters do not always know where candidates stand, especially for down-ballot races and contentious issues that cut across party lines. With fusion, a candidate will typically have one major party endorsement, just as today, but may also have one or more minor-party lines. An endorsement from a minor party can clarify a candidate's positions and allow voters to cast a more informed vote. Of course, endorsements from other organizations convey the same kind of information. But endorsements right on the ballot are accessible to every voter, making the job of casting an informed vote much easier.

2 – A Voice for Minor Party Supporters. Other voters may be well informed but don't vote because they don't feel represented by either of the major parties. In many elections, 5 or even 10 percent of voters choose a minor party instead of the Democrats or Republicans. Surveys show that 50 percent of Americans have cast a vote for a minor party at least once. That's a lot of votes.

And yet today, almost all those votes are effectively wasted – they don't help elect candidates or influence policy. Disenfranchising anyone is a serious offense against democracy. But when you consider that our current system gives no constructive role to minor parties, we are talking about literally millions of voters disenfranchised – some once, some occasionally, some nearly every time they go to the polls.

The lack of useful role for minor parties isn't just a loss for their supporters, it's a loss for our public life. Many minor party supporters are highly motivated and engaged and have valuable ideas that could enrich our public

life. By allowing minor parties to support candidates who have a real chance of winning, fusion will give them the role in politics they currently lack.

3 – A Solution to the “Spoiler” Problem. Finally, in the worst case, minor parties can even act as “spoilers”, allowing a candidate to win even when he or she is opposed by the majority of the electorate. Obviously, this is bad for democracy. Fusion solves this problem, and makes it almost certain that the winning candidate will be supported by the majority of the electorate. In short, fusion allows everyone to vote for the party they believe in, *and* for a candidate with a real chance of winning.

Fusion’s impact in recent elections

Surveys in New York and elsewhere have shown that the voters most likely to vote for a major-party candidate on a minor-party line are the young, the less educated, new citizens, and other voters whose normal rates of participation are low. There is strong evidence that when a minor party cross-endorses a Democratic or Republican candidate, it does not take away votes from the major party, but brings in new voters who would otherwise have stayed home or wasted their vote on an irrelevant minor-party candidate. One recent study of judicial races, for instance, found that when a candidate had a minor-party line, they received more votes on their own party line than candidates who ran only with a major party endorsement did.

Polls confirm that fusion is especially important to low-turnout groups of voters. Here’s one recent example: In 2005, Pace University did a survey of New York City Democrats asking what endorsements would have the greatest impact on their vote. The number one, most important endorsement? The Working Families Party, a minor party that uses fusion to cross-endorse candidates of both major parties. (The Independence Party, another fusion party, also scored high.) Remember, these voters were Democrats; most of them probably vote on the Democratic line. But the extra information provided by seeing which minor parties have also endorsed a candidate is something they find very valuable.

That same poll also showed that the voters who found minor party endorsements most valuable were Latinos, younger voters, and lower income voters – all groups with lower than average turnout. These voters, evidently, are especially anxious for more information on the ballot.

I don't have time to go into other poll results now, but they are generally consistent with the Pace survey. Fusion is most important to voters who are least likely to vote, and so is very likely to increase turnout.

In New York, bringing these new voters into the process has had a real impact. John F. Kennedy would not have won New York's electoral votes for President without the support of the Liberal Party, along with the Democrats. George Pataki would not have been elected Governor without the support of the Conservative Party, along with the Republicans. And New York would not have followed Oregon's example and raised its minimum wage above the federal level without the support of the Working Families Party for legislators of both major parties. As these examples show, at different times fusion has been good for the left, the right and the middle. But it's always good for democracy.

Conclusions

The one-sentence argument for fusion is, It allows minor parties to play a constructive role in politics. If you look at politics today, you see two things: First, the individual officials who are progressive, who are devoted to the public interest, are almost all members of the two major parties. And yet, second, many voters don't trust those parties, or want additional choices. How do we give voters the option of voting for additional parties, while recognizing that the best-qualified candidates will, in all likelihood, continue to be Republicans or Democrats? The answer is fusion. It opens up the party landscape while allowing voters to support candidates who are engaged in the real-world, practical political work that all of you know so well. No other electoral reform strikes this same balance.

Fusion voting will not fix all the problems with our elections. But it is a simple, time-tested, practical way route to a more informed, engaged electorate. It gives a voice to citizens who are currently left out of politics, and ends the danger of a third-party candidate "spoiling" a close election. I strongly encourage the Oregon legislature to move forward this bill and restore fusion voting.

For further information, please feel free to contact me at the National Open Ballot Project: jmason@openballotvoting.org, or (718) 222-3796 ext. 217.

2006 South Carolina ballot

US House of Representatives District 1
(One Seat To Fill)

James E Dunn
Green

Henry Brown
Republican

Randy Maatta
Democrat

Randy Maatta
Working Families

Write-In Candidate

Note that Randy Maatta appears on two ballot lines; voters can choose either one.

2006 New York State ballot (partial)

1 GOVERNOR AND LIEUTENANT GOVERNOR (Vote ONCE)	2 COMPTROLLER (Vote for ONE)	3 ATTORNEY GENERAL (Vote for ONE)	4 UNITED STATES SENATOR (Vote for ONE)	5 REPRESENTATIVE IN CONGRESS 21st District (Vote for ONE)	6 STATE SENATOR 44th District (Vote for ONE)
<input type="checkbox"/>  1A Republican John J. Faso FOR GOVERNOR C. Scott Vanderhoef FOR LIEUTENANT GOVERNOR	<input type="checkbox"/>  2A Republican J. Christopher Callaghan	<input type="checkbox"/>  3A Republican Jeanine Pirro	<input type="checkbox"/>  4A Republican John Spencer	<input type="checkbox"/>  5A Republican Warren Redlich	<input type="checkbox"/>  6A Republican Hugh T. Farley
<input type="checkbox"/>  1B Democratic Eliot Spitzer FOR GOVERNOR David A. Paterson FOR LIEUTENANT GOVERNOR	<input type="checkbox"/>  2B Democratic Alan G. Hevesi	<input type="checkbox"/>  3B Democratic Andrew M. Cuomo	<input type="checkbox"/>  4B Democratic Hillary Rodham Clinton	<input type="checkbox"/>  5B Democratic Michael R. McNulty	<input type="checkbox"/>  6B Democratic Gary R. McCarthy
<input type="checkbox"/>  1D Conservative John J. Faso FOR GOVERNOR C. Scott Vanderhoef FOR LIEUTENANT GOVERNOR	<input type="checkbox"/>  2D Conservative J. Christopher Callaghan	<input type="checkbox"/>  3D Conservative Jeanine Pirro	<input type="checkbox"/>  4D Conservative John Spencer	<input type="checkbox"/>  5D Conservative Michael R. McNulty	<input type="checkbox"/>  6D Conservative Hugh T. Farley
<input type="checkbox"/>  1E Working Families Eliot Spitzer FOR GOVERNOR David A. Paterson FOR LIEUTENANT GOVERNOR	<input type="checkbox"/>  2E Working Families Alan G. Hevesi	<input type="checkbox"/>  3E Working Families Andrew M. Cuomo	<input type="checkbox"/>  4E Working Families Hillary Rodham Clinton	<input type="checkbox"/>  5E Working Families Michael R. McNulty	<input type="checkbox"/>  6E Working Families Jeffrey P. Stark

The first line is Republican, the second is Democratic, the third is Conservative and the fourth is Working Families. Note that the Conservative party has endorsed both Democrats and Republicans in this race. Voters check one box for each office.