

What is Fusion Voting? What will it mean for Oregon?
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Forum on Fusion Voting

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PSU's Hatfield School of Government,
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Panelists:

Daniel Cantor, Executive Director of the Working Families Party of New York, a minor party in a state which has utilized fusion voting more extensively than any other state.

Ben Westlund, State Senator, Deschutes County (SD 27)

Chip Shields, State Representative, Multnomah County (HD 43)

Melody Rose, PSU Professor of Political Science

Moderator: Regina Lawrence, Chair, PSU Political Science Department

The newly elected Oregon Legislature will consider a bill in the upcoming session which would restore a voting system called fusion voting which permits more than one party to nominate the same candidate. Votes from the different parties are tallied separately, and then combined for that candidate's total. To quote a European parliamentarian, fusion is America's version of proportional representation which involves forming coalitions before rather than after the election. It eliminates the "spoiler" and "wasted vote" syndromes which plague minor parties in Oregon's present electoral system.

Regina Lawrence: Hi everyone. Welcome. Can everyone hear me all right? Very good. Thank you for all of you being here today for our forum on fusion voting. I'd like to welcome you to the Hatfield School of Government. Before we get started a few thank you's and introductions are in order. I'd like to first of all acknowledge the sponsors of this event which include the League of Women Voters and also "Oregon's Future" Magazine, and to also acknowledge and thank Oregon Public Broadcasting for being here today to tape this event. I'd like to talk for a moment about the structure of the panel today and the purpose of the event today. We're very excited to talk today about the notion, the concept of fusion voting which is an electoral reform being considered by the 2007 Oregon State Legislature. And fusion voting is something that perhaps many of us had not heard much about or thought much about before we came in today. I would be

curious to see just a quick show of hands: how many of you before you came in today felt like you knew very much about fusion voting?

(Audience raises hands)

Regina Lawrence: So know for the record, about half of the audience raised their hands and the other half does not necessarily know much about it nor did I until we began working on this panel and I did a lot more research about it. It's a fascinating topic. Today we're going to talk about fusion voting's history, it's purpose, it's possible impact on voting, and the potential benefits as well as the potential drawbacks of instituting this electoral reform. Fusion voting is one of many electoral forms that's being discussed here in Oregon and also around the country and it's being practiced most prominently in New York State and we'll be hearing more about that in just a few minutes. In keeping with the Hatfield School of Government's mission of community engagement, of open inquiry in public policy issues of great importance, we think that fusion voting merits public attention, it merits debate and we're here to learn more about it today and to consider various points of view on it as well. We have quite an interesting panel today, I just realized that I forgot to introduce myself to you and I guess I should do that. I am Regina Lawrence, I am the chair of the division of Political Science here at the Hatfield School of Government, and I'm very happy to introduce to you, first of all, Dan Canter who's with us from the uh, he's executive director of the Working Families Party in New York State and he'll be here telling us about how fusion voting works in New York State, what it's impact has been there on civic participation. We also have Senator Ben Westlund, who I think is known to many of you already. Senator Westlund, of course, known for having been a Republican senator and also recently having changed his party affiliation. He asked me when I asked him if there was anything I should be sure and say about him that I should mention charming, intelligent and handsome I think he said. And ditto for another one of our panelists Chip Shields, state Representative for Multnomah County who quickly dittoed that he would like to be introduced in the same way. Among other things, Representative Shields was known in 2002 for being instrumental in passing the minimum wage law which also then won him a recognition from the AFL-CIO. And finally we have Professor Melody Rose, who is our panelist as well, and in addition to her expertise on women in the law, women in politics and questions of reproductive rights and politics, she's also our expert on parties and elections. So she's here to give us some perspective on fusion voting, what the academic research tells us about it, how it might compare with other kinds of electoral reforms, etc. For our format for today, we'll hear from each of our panelists for about ten minutes or so and get each of their perspectives then there will be plenty of time for questions and answers from the audience, I might exercise the prerogative of asking the first question. Then I'll turn it over to you all, we'll here from your questions, and then OPB has requested that at the end of the talk today, if there's anyone who would like to stay and discuss a little further, how their views on fusion voting have changed in any way, deepened in any sense, today they would be happy to talk to us at that time as well. So without further ado, thank you again for being here and we will begin with Daniel Cantor, Executive Director of the Working Families Party of New York.

Daniel Cantor: Thank you very much. I think ten minutes is a long time with four of us so I'm going to try to be quick and then hopefully in the question period we can get to the things that are on your mind. There have not been very many explorations in the public about fusion voting in the last hundred years so you should congratulate first the Hatfield School for doing this and all of you for being here. Rules matter in democracy, we all know this, whether it's rules about campaign finance, rules about redistricting, voting machines, registration, these kinds of things that seem like the machinery of democracy or the architecture really are important. Fusion voting gets to the question of the rules that govern political parties, somewhat less prominent perhaps than some of the other more scandalous rules that determine outcomes, particularly around campaign finance in some states. But fusion and the rules of governing political parties are in fact extremely important for a successfully democracy, or so we believe. I have spent the last eight years in New York State directing the New York Families Party which is a minor party that operates under the rules that are unique to only a few states. Once legal here in Oregon, but no longer legal, fusion goes by several different names. Some people call it cross-nomination, multi-party nomination, cross-endorsement, or the historic name being fusion. What it refers to, for those, for the half of you that are not so expert on it, is it allows a minor party and a major party in a sense to coalesce. For a minor, for the adherence, the voters, the backers of a minor or a third party to nominate a candidate whether or not that candidate appears on the ballot under the label of a major party or another minor party at the same time. Why is this important? We live in a system, we have what are called winner-take-all, first past the post elections. You have to win the election, we don't live in a proportional system so it's impossible for a third party to thrive in such a system. Third parties immediately run into the famous wasted vote or spoiler dilemmas, those very familiar to anyone who's ever considered what's wrong with third parties; they seem to have good ideas but they can never get very far. The reason you can't get very far is most voters are not stupid and they're not going to want to waste their votes on a third party that is doomed before it starts (8:01). In a winner-take-all system, there is a natural tendency to having a two-party system. But what fusion does is it allows minor parties to play a very constructive role in politics. What it does, just to be very clear, is let us imagine that Regina is running as a Democrat for State Representative and Chip is her Republican opponent. This is hypothetical.

(Audience laughs)

Daniel Cantor: And the Working Families Party, or any party, whatever the third party is, says we're for Lawrence, but we want to tell people to vote for her on our line and send her a message. So you interview her, you screen her, you nominate her. She appears, on a fusion system, her name would appear on the ballot twice. In this example, once as a Democrat, and once as Working Families. Or there might be and he might be a Republican and lets say Conservative. There might be a Conservative Party as there is in New York. And election day roles around and she gets 42% as a Democrat and he gets 45% as a Republican and the last 13% comes in in this example on the WFP, Working Families Line, the votes are tallied separately, but then added together. So she wins, 55 to 45, but for the adherence of the minor party we're able to say to her congratulations assembly member elect, and by the way we were serious about health care, housing, or

whatever the issue that motivated us in that election, and we're able to say to her that 13% carries with it a message. Political scientists call this "expressive voting." You want to vote for the candidate but you also want to vote for the issues that that party, in this case Working Families but you could imagine a Green Party, a Right to Life Party or whatever, you're voting both for the candidate and for the values and issues that that party is trying to project into public life. And we have found, in New York, that voters really like this. Not everybody can come to meetings, not everybody is willing to work a phone bank, but you can get a lot of people out to vote. And when you get them out to vote, it's nice to be able to say to them, you can give your vote a little extra oomph. If you want to, if you don't love that Democrat, if you don't like the Democratic Party but you like the Democratic candidate, fine, then vote for him on this other line and send them a message about A, B, or C. This is in a sense nothing new in American life but it solves the wasted vote problem because you're saying your not wasting your vote on a candidate with no chance of winning and you're not spoiling, in other words draining votes from the candidates that you're closest to and electing someone even worse that disagrees with you. It is by no means a new idea. This system of voting, which is legal today in seven states but really only practiced in New York and Connecticut and just beginning to get a little life in South Carolina, three of the four states where you have fusion legal, there are a few more states where it's quasi-legal but really there's four where it's legal, Delaware being the fourth. This system allows minor parties to play a consistent role in political life, and if you believe that minor parties play a useful role in our history, which I do, some of the ideas which migrate into the major parties all began as third-party ideas; abolition, women's suffrage, temperance; these were all third-party ideas that were eventually, some were and some were not taken over by the major parties. You know, unemployment, insurance, all sorts of social and economic reforms in our society often begin on the quote on quote fringes or margins and migrate over. You kind of feel it happening right now on a lot of Green or Environmental issues, that this stuff is starting to make its way into the major parties. And it's certainly our view in the Working Families Party in New York that third parties have a very important role to play and the rules should not in a sense discriminate against them. You might think of this as an American version of proportional representation, those of you familiar with comparative politics in Europe and Latin America, a minor party and a major party after the election might coalesce. The minor party who got 8% and then they form a government after the election. In our case we make our coalition ahead of time. We say, to whichever candidate we are "fusing" with, two parties fusing on one candidate, that this is something, in return for our support, we would like action on housing, health care, jobs, and so on. There are many issue-based reasons, in my opinion to support fusion voting, but some of the best reasons are in a sense non-partisan. It increases participation because minor party adherents have more reason to participate. In New York now, about 15% of the people, sometimes about 20%, vote on the minor party lines in the big elections. That's a lot of people, 15-20%. As I say it solves the spoiler and wasted vote problems, it gives information to voters. This is a very important point. Parties, one of the things that parties do is that they signal voters who stands for what. So if somebody is running as the candidate of the Republican and the Universal Health Care Party let's say, that's probably a signal that that's a Republican with a particular interest in health care and you can imagine lots of other ways that this might happen. In New York, the

minor parties have been good at unblocking logjams in the legislature in a weird way. The Conservative Party was able to push through some tax cuts in the Democratic Assembly. Working Families was able for its part to push for the minimum wage increase through the Republican State Senate. And in a sense the minor parties can be a bridge over the partisan divide. What fusion does is that it allows voters not just to vote for a person but for a set of ideas. That is I think in some ways the strongest reason we are so excited about it in New York and interested that people in Oregon are trying to figure out how to legalize it here. It was legal, as I say, in all of America at one point and it was made illegal roughly in the late 1890's through 1912 or so, it was mostly a tool used by Populists and Democrats in the North, it was used by Populists and Republicans in the South, and in all cases, after the election of 1896, which I have a feeling that Professor Rose will tell us about, the parties decided that they preferred a more constrained political universe, they didn't like these pesky third parties, and so they changed the rules that then made it impossible for them to thrive and forced minor parties into the box that they're in now which is sort of the wasted vote or spoiler box. So we think it's time to change those rules, just as it's important to have rules that improve the campaign finance system or the redistricting process in America, it is also very valuable to have rules that encourage strong party formations. Parties are good for democracy; this is a fairly widespread view certainly among political scientists. We need strong candidates but we also need strong parties so that voters have a way to cohere their voices and make them heard. There is an interesting report which you can get online, something that the Brennan Center has put out, it's a fairly well known think-tank back East on such matters, and if you go to their website, brennancenter.org, they have a big report called "More Voices, More Choices," which is again a more elaborate history and argument in favor of fusion voting. I'll just close saying if you want to make one of the beauties of America there are many things, one is that we solve most of our problems non-violently, and political parties are a crucial way for people to do that. So reforms that strengthen parties, that make them more distinct so that we have more ideas into the public arena and allow those ideas to both gain support in a way that is constructive, influence the major parties, influence the policy debates that we face, you know make a better country for us all. So, thank you very much.

(Audience claps)

Regina Lawrence: Next we will hear from Senator Ben Westlund.

(Audience claps)

Ben Westlund: Hey everybody, How are ya? A couple of perfunctories that are more than perfunctories, I genuinely want to thank the Hatfield School for having us here today and your attendance, that's what really makes this world worthwhile. I want to thank the League of Women Voters for your sponsorship and certainly OPB for recording this and getting it out to an even larger audience. This is important. It's why I'm here today. I'm not here to advocate for fusion voting even though I support it. I'm not here to advocate for the Working Families Party even though I was the first petition signer in Deschutes County as Barbara can affirm. Today I am here to advocate for what really,

fundamentally, this country is all about and in our representative form of government what needs to happen to allow the government to truly reflect the will and wishes of the majority of our citizens. What we have got to get to is electoral reform that allows those elected individuals to be able to more consistently represent their entire districts, not just one particular fringe of one particular party or another. Let me go through some hypothetical math with you that is not very far from being altogether unfortunately true. Let's say we have a district with a hundred people in it. And in our structure today, where we traditionally have you know heavily advantaged districts, either heavily advantaged Republican or heavily advantaged Democratic districts, let's say we've got a district with a hundred individuals. And then okay we're in a primary election; a heavily advantaged district is, you know, 40%. You can fill in the party, it doesn't make any difference, 40% in a heavily advantaged district. And then let's say a primary election, what's the turnout in a primary? Hmm, around numbers 50%. So you're down to twenty people out of that hundred. And then let's say it's an open seat, a contested primary, and let's just say that there's two individuals that run in, and one of them just really shacks, really shacks the other person and gets three-fourths of those votes. Well they got fifteen votes. In those heavily advantaged districts, you've got to really goof up not to win the general if you've won the primary. So what have we got going on here? We've got functionally 15% of the district electing individuals to either the House of Representatives or the Senate. We've got a decided minority really determining who is supposed to represent the whole district. And let me let you in on a little secret, at least sometimes when Chip and I have to debate, you know what, we are actually people too. You know, when we get into the session, and we are making decisions, you know we have the same influences that buffer and whip you. When we're making decisions on what are good ideas and bad ideas, who are we first going to represent? You're going to represent the people that brought you to the dance. That's this fringe or this fringe. And that has fundamentally got to change if we are going to tackle some of the monumental crisis's facing Oregon. And I could go through a litany of issues that you may or may not agree with, that's not the point, you know how we tax, providing universal health care, creating a state that or creating an environment that allows Oregon to become not just a leader but the leader in the production and use of natural and renewable resources. The issues, you know, are interchangeable. What needs to be constant is how we elect people and allowing people to vote their hope not their fear. That's the critical element in any electoral reform process. It's one that I think fusion gets closer to. I have some questions I want to ask of Daniel as we go further here. I think like anything there's no perfect system that's yet to be devised by man. But at the end of the day, what we as Oregonians and I think Oregon is ideally suited to do, is truly become a leader in how we elect people and then as the original thirty-nine signers of the Constitution intended, allow that people, or allow that power or influence to flow from the people to the elected representatives. That's the key to what I'm doing here today, it's what I'm sure you're doing here today. Together, we can change. We can change Oregon and we can change how we elect people which will change how this state looks, and the future that I know we all hold so dear. Thank you very much.

(Audience claps)

Regina Lawrence: Thank you Senator Westlund. Next we'll hear from Representative Chip Shields.

(Audience claps)

Chip Shields: Thank you Regina. Senator Westlund is always a tough act to follow and when I saw that I was coming up behind him I said please, not this time, no standing ovation for Senator Westlund. Because his words are often so moving and it often results from that type of response from the crowd and he is a tremendous public servant and we welcome you to the Democratic Party.

Ben Westlund: I must interject. He is now my chair on the Ways and Means Committee so I've got to be really nice to him.

(Audience laughs)

Chip Shields: That's right. What a difference an election makes, huh? I also wanted to recognize one of my heroes here, Gretchen Kafoury, Gretchen could you please wave to the crowd? Gretchen gave me my first street lesson in politics, really. I used to run an outfit called "Better People" that helps probationers and parolees find living wage jobs and we also operate a, what psychologists call a cognitive behavioral therapy to help them change the way they can do business and operate in the world. I was trying to get the Multnomah County bureaucracy to pay attention to our program and hopefully give us some funds so I was constantly going to the different departments saying hey would you fund us, hey would you fund us and I finally called up Deborah Kafoury, my predecessor and Gretchen, and I said look can I get together with you and get some advice, and Gretchen said "Chip, there are five people on the Multnomah County Commission. You don't have to talk to sixteen directors of departments. All you have to do is count to three votes out of those five." And that's when my inauguration into politics was born. And now we have a couple more votes to count in the Oregon House of Representatives and the Senate, but the principles are the same. I think a lot of what we're talking about today is differentiation and distinction among different points of view and my father, who is a little more conservative than I am, we used to quip back and forth around the dinner table sometimes and he'd say "son, a conservative is a liberal who's been mugged." And I'd quip back and say "a liberal is a conservative who's been arrested." Once you've been arrested civil liberties tend to be a little more important. Now I'm going to talk a little bit more about not just the fusion voting but also about the Working Families Party and how it has worked in other places and I think that, as a fairly partisan Democrat, I believe it's time for Working Families Party because I believe the Democratic Party, at its finest moments, is about standing up for working people. And at its finest moments the Democratic Party is about standing up for the little guy, and I mean that in the most non-gendered way possible, by the way. I believe our party has lost some of that fire in the belly over the years, I believe that we've lost some of that fire particularly in the Clinton Administration's hyper-enthusiasm for free trade agreements, free trade agreements that to this day do not have the proper environmental or labor standards needed to protect U.S. workers, local companies and farmers to help them

battle on a level playing field. And I believe it's that hyper-enthusiasm, it's clear to me that because of that our party, in many ways, has lost its way on the way to the corporate boardroom. And frankly, the voters, over time, have punished us for it. I believe fusion voting will sharpen the differences between the parties, I believe fusion voting will clarify, I believe fusion voting will cut through and it will help voters, it will help politicians. Having a Working Families Party will help voters by helping them know what the politicians stand for on the issues that unite us, not on the issues that divide us. Having a Working Families Party will help politicians really know who really got them into office and who they really owe some gratitude and responsibility to. And that's the voters, not the biggest donors to their campaign. And I don't care if you're Republican or Democrat because this will also benefit the Libertarians and the Social Conservatives as they create their own fusion voting parties. But it will cut through the platitudes, it will cut through the gibberish, and help people have a guide towards knowing who will really represent their interests. And, as on the side, it will also help people register the disgust with the two parties without wasting their vote. Thank you very much.

(Audience claps)

Regina Lawrence: Thank you representative Shields. Now I'm very pleased to introduce my esteemed colleague, Dr. Melody Rose.

Melody Rose: I just want to say thank you to Barbara Dudley who did a lot of work to get this panel together and invited me to join these esteemed and handsome counterparts. And charming. And thank you to Regina to all that she does for the Hatfield School and especially for making possible these kinds of events that bring together a consortium of very interesting views. We have activists, we have politicians, we have academics in the room and all for a common purpose which is to consider how through institutional reform we might be able to capture the disengaged or the disinfected and for that I am very proud to be able to belong to this institution. It is my hard job to try to deliver to you some of the news that has come from political science, my discipline, about fusion voting. The reason why I say this is a hard job is that as my esteemed colleagues here have mentioned, there was a long history of fusion voting before the 19th century before it was abandoned or more properly eradicated from electoral law at the turn of the 20th century. There is also a literature from the mid 20th century. So what I'd like to focus on, rather than the 1896 election, maybe we can go have a drink and talk about the 1896 election, what I would like to do is tell you a little bit about the recent literature has told us about this form of voting and probably what will take me a little bit longer is to describe to you the questions which have remained unanswered within the discipline because I actually think as an academic science we have more questions than answers at this point. So it's my obligation to deliver those points to you. First, as far as the early literature goes, it's very thin and I would argue that probably the most information that we have is probably about fusion voting in California in the 1940s and 50s. There is a small literature in that neck of the woods that really describes a system of voting which allowed cross-filing or cross-endorsement or fusion during the primary phase of election, which essentially, most of the literature would suggest, cut down in some ways on the competitiveness of general elections. So that is what that thin literature tells us about the

1940s and 50s, it's quite old, it's related to a single state. So I would argue as a scholar that it's probably not going to inform the debate that we are having in Oregon today and that we are having in this legislative session. So the next step I took was to try and get some information from my own colleagues across the country about what has gone on in the state of New York. And as I'm sure Dan knows, there's very little academic research about the exciting election returns in New York and in fact I think what I uncovered in my travels in the last weeks more than anything has been a research opportunity which I will talk with my graduate students about. But what I found in looking around in what does exist that there's one major study in a 2005 journal article that describes one very particular special election in the state of New York and the findings there essentially argue that in that particular election turnout went up as a result of cross-filing opportunities and that the Working Families Party in particular was responsible for increasing turnout, increasing excitement about the election, and had an effect on the outcome on that election. What I would suggest though, in terms of the literature in this field, is that we have to be very careful to ever draw conclusions based upon the results of a single election. That really is the burden of folks like myself to try to look at longitudinal studies that might incorporate a wide variety of kinds and types and locations of elections to make sure that the findings that we discover aren't related to particular quirks or particularities about a particular election. So moving forward, we have to take great care in formulating our research questions properly and studying them with a great deal of precision. The trouble with these studies then is that they are few and far between. So what I would like to do today then in the time I have remaining is to really argue is that in the absence of real data from my field that we set about a course of genuine inquiry and I will start that off by launching into some of the questions that this group might consider posing to all of us today on the panel. These might be research questions, they might be questions for the legislature as they consider the fusion bill, they might be questions for Mr. Cantor who has hands on experience with this voting institution. Some of the questions that come up for me and thinking about the cost benefit analysis of fusion voting versus other institutional or electoral reforms would be these: One that I think should be interesting to those of you in the audience that are activists is that one of the things that I noticed in doing my research for this presentation is that most of the advocacy in our own state around fusion voting and certainly in some of the other states that are considering proposals is coming from the left. And that shouldn't be any surprise to us, I think there are many, many people on the left, particularly those that attracted to the Working Families Party, who are feeling consistently left out of debate, who are feeling that their policy issues are not being addressed in their state legislatures, and it makes perfect sense that those individuals would be looking for electoral or institutional reforms to help rediscover their place in American politics. But we do have to realize and perhaps should delight in the fact that an electoral reform, like fusion voting, should inspire wider participation and inquiry from across the political spectrum. And in fact, in our own state of Oregon, I would propose that it may be the Working Families Party that would benefit from fusion voting, it may alternatively be the Constitution Party that would greatly benefit from this form of electoral reform, and I think we need to remember that and think about that as we're looking at all options. A second question for further research and for consideration from all of you here in the audience today and one that I'm sure Mr. Cantor will have a

response to is the question of ballot confusion. I saw this mostly in my research coming from the Green Party, quite interestingly, and I'm sure Mr. Cantor has heard this as well. One of the things that many individuals are concerned about in light of the 2000 election in Florida is the question of ballot readability. So one of the things we have to take seriously in reworking our ballot is to make clear what the options are so that we don't provide to voters more confusion than light, and I'm sure that anyone advocating fusion voting would agree with that proposal. To the extent that we can, I think it would be very interesting as a discipline for us to look at ways of researching ballot confusion. I mean what does that study look like? How do we find out how individual people read ballots, what they find clear, what they find troubling. As a scholar I would find that to be an interesting study. One of the additional issues that comes up that Mr. Cantor touched on is the question of party label coherence. Traditionally in political party history in the United States, political parties, mainly the major two political parties, have been at their most useful to voters when their message or their label is coherent. And the reason that that is important for voters is that a coherent party label can give voters cues in a way that a fuzzy party label cannot. So another research question or consideration when we discuss the reform is that how does fusion voting either help or hinder party label coherence. Because of course what we're all talking about today is trying to make it easier for individuals to access their franchise, not more difficult. And part of the answer to that question may in fact lie in exactly the format in which the ballot is constructed, so I think the mechanics here are going to be very important. And alternatively too I would ask all of us here to consider what might be the other reforms, institutional or electoral that would be high on the list of a Working Families Party or another minor party in our state that would be concerned about voter engagement and voter participation? Are there other issues on the table? We've just, in the state of Oregon here, had a very thorough look our legislative practices through a really wonderful commission that took a look at all kinds of possibilities for reform and what I would question is whether we need to be thinking about instant runoff voting for instance campaign finance reform, non-partisan primaries, civic education, all of those are alternatives, that we should, I think, be putting on the plate for consideration and deliberation and study as we look toward implementing the stated goals of better inclusion, better engagement with the political process among all voting or non-voting Oregonians. A couple of political questions too I might add to my list for consideration. One has to do really with how this issue goes forward in terms of next steps. What kind of consideration would we find from the major parties of the state, apart from the two representatives that we have here today from those major parties, what are the concerns, what are the issues for the Democrats and Republicans in the state, how can we answer those questions? Alternatively too, we need to be thinking ahead to the court system. Because ultimately one of the things that we have to consider any time we're changing our electoral structure is what are the kinds of legal challenges that we might have to consider. How do we anticipate what those legal challenges might look like? Are there issues around freedom of association that might come up through legal negotiations and scrutiny of fusion voting agenda? So all of those are things that we have to consider and I would argue finally that how we structure the ballot would be fundamental to its impact to Oregonians, whether they are presently voting or would be inspired to vote, how we structure that ballot would I think be a pivotal point in terms of clarity, in terms of coherence of the party label, in terms of rejuvenation of interest in

elections. So with all of that in mind I hope I've set us up for some good questions from the audience and some give and take on the panel because in the absence of really hard data about fusion voting, as policy makers here at the table, what we're going to be asking of our policy makers in the absence of data is to be doing a cost benefit analysis based upon the experience of other states like New York, based upon our common sense and intuition and best judgment. And I wish I could provide them with more but that's the state of the discipline at the moment and I guess the good news here really is for graduate students who can now run off and do their own projects and it may be that in two years I'll have much more to report for you. So I hope that I've provided some ways about thinking about next steps and considerations.

(Audience claps)

Regina Lawrence: Thank you very much Melody. I'm going to exercise my prerogative if I may as moderator because all of these comments have inspired so many questions in me so I want to kick it off with just one and then I promise I will turn it over to the audience and we're eager I'm sure to hear all of your questions and comments as well. My question is this, and it may be too big of one I'm not sure but in a sense does fusion voting, the argument that I'm hearing from yourselves that are advocating for it here and also from other advocacy that I've read on the internet in the last week or so, the argument is often that fusion voting is going to really strengthen political parties in the United States, that it's really ultimately all about improving the range of choices for the American public and strengthening third parties. I guess my question is, in a sense is fusion voting just really a compromise, is it just really throwing in the towel with the two party-system and sort of acknowledging that the two-party system is the reality that that's unlikely to change so let's allow third parties this very minor role, let's allow them to just have their votes be tallied towards what is essentially going to be a major party candidate? So I guess another way of putting that question is are there other reforms that might be more significant and more helpful? So maybe that's a place we can start the discussion. I think we'll all just stay seated for the discussion; I'll just stay up here to moderate the flow of traffic. So I don't know, perhaps Dan Cantor, you probably have thought about that before.

Dan Cantor: Sure. There are lots of reforms that one should be in favor of. This is by no means the only one. Some people talked about campaign finance, redistricting, and even on the cold question on reforms to allow new and minor parties to play a constructive role. You could be in a sense more ambitious or have a different view and say we should go to a proportional representation system that exists in countries more advanced than our own, but we live here. We are not going to change from a winner-take-all system anytime soon it seems to me and thus within that context we need to find a way for the adherents, for the citizens who support minor parties to allow their voices to be heard as well. So within that context, fusion voting is a very powerful tool. It's not merely a little add on to the major party although it is that, it also becomes a home for citizens to gather and develop their own program, sometimes their own candidates, sometimes the major parties fuse on the minor party candidates; it's not common but it certainly does happen. And it provides distinctiveness, I think Representative Shields'

point, parties are about in a healthy democracy are putting forward clear programs for voters, and certainly in a fusion system you get more of that when a candidate runs, it's not just information to voters what a candidate stands for it's also information to the elected official. We actually believe it's quite difficult to be an elected official. If you want to demand accountability down, you need to provide support up, because there are these gigantic problems we're trying to solve, and that if there was a substantial vote that is clearly understood as that's a health care vote, that might help those elected officials who want to advance that to do so. So I would say it's by no means the only reform that one could be in favor of and it's not a magic feather, you still need good candidates and good elected officials and good ideas but within the context in which we live here in America in 2007, it's an unusually potent reform that will allow new voices and new choices into our politics.

Ben Westlund: Well I appreciate the way you framed the question, allow minor parties to play a constructive impactful role, I mean if you go back in Oregon's own history depending on what side of the fence you were sitting, I think everyone in this room, well regardless of what side you were on, everyone in this room would agree that Al Moberly's Constitution Party played an incredibly impactful role in the race between Barbara Roberts and Dave Frohnmayer. And so it's not like minor parties don't already play a significant role; Perot, Clinton, Bush. An incredibly important, impactful role. I mean, half the people liked that, half the people didn't. And I have some concern on fusion voting, that as stratified as our politics, as segmented as our politics have already become, that all of a sudden there are all these parties, I can see on the Republican side of the ledger, the Right to Life Party, you know, causing party discipline because they're not running enough pro-life candidates so the already endangered moderate Republican becomes even more endangered. You know but having said that, this I think is a pretty fundamental truism. If you accept the premise that power is a zero sum game, and that if someone's losing it someone else is gaining is, I think anything we can do to diffuse and spread that political power does nothing but help better represent the people.

Melody Rose: I go back to the original part of your question, Regina, which was does this strengthen or weaken political parties, and what we know about American political parties historically is that we generally consider them to be strong when their messages are coherent and easily read by the public and I think that then the question becomes, if two political parties are nominating the same candidate, will the message of each distinct political party remain coherent and distinct or will it become fuzzy in the mind of the average voter? I think that I have some concern that the real power of third parties historically is that they stand apart from the two major political parties, that they very often times advocate for policies that neither of the political parties is willing to take a political risk on, and very often times that minor political party or independent candidate, and I think about Ross Perot, has a tremendous impact because they stand apart from the two major options. So I guess I worry a bit that the cues going to the voters about what the party labels mean and what it stands for and what you're going to get after the election becomes muddied somewhat if we have two political parties nominating the same individual.

Dan Cantor: Well that's certainly not the case in New York. People are, I don't think people are smarter in New York than they are in Oregon, and it will become clear to people that when you're voting for Shields as a Democrat, that's one thing, and when you're voting for Shields as let's say a Working Families Nominee, you're sending him a special message. And this becomes clear to people very easily. In New York in this last election the Conservative Party got about a hundred and sixty or a hundred and sixty-five thousand votes for its candidate for governor, we got about for our candidate for governor, we didn't have the same candidate but those voters knew that they were sending a message to that candidate and they were also signaling their support for their support for that party's ideas or ideals in the legislative arena. So I would argue that in at least the experience of New York and Connecticut, with which I'm quite familiar, voters understand what this is, there used to be, there was a Right to Life Party in New York, they tended not to endorse anybody, they felt the New York Republicans were too moderate so they would run stand-alone candidates, and that was a way for their supporters to register their view on the importance of that issue. In general in a fusion system you have fewer parties not more. In Oregon you have many more minor parties than we have in New York and the reason is that the minor parties in New York are real. We have actual power and elected officials have to pay actual attention to us so it sifts people to take it seriously right this is not a game, these are people's real lives, and their real health care and their real schools, so if we want political institutions to be responsive, which we want them to be, and if we want citizens to have a way to aggregate their voices, this is a useful tool. I'm not suggesting it's the only tool; campaign finance reform incredibly important right there's lots of others, paperless voting, kind of scary, but in so far that you're trying to give voice to people who hold minority views that it's understood arithmetically, the evidence, I think the evidence, it's not so interesting from California in the 40s and 50s, there it was mostly Republicans and Democrats fusing with each other and that's not really what fusion was historically about in America. It was about a minor party and a major party. If you were a Populist, I'll go back to history here, if you were a Populist in the 1880s and 1890s there was no way you were going to join the Democratic Party. The Democrats, they were Catholic, and they were immigrants, and most of all, they drank. And the Populists were rural and Protestant and native born and dry, they didn't drink. So culturally they didn't fit together. But politically, this was the so-called Worker-Farmer alliance, you know, the Grange and the Greenbackers and most famously the Populists, and they were able to form this alliance, and that was a good thing. It enabled them to have power but also to keep their own identity and that produces, I would argue a better government.

Chip Shields: I would just want to call attention to the fact that Oregon is not only a winner-take-all system in its elections, but once the legislature actually organized, it's very much a winner-take-all system in how legislature gets passed. So in Oregon we have a very strong speaker, a very strong president system and so House Democrats have a 31-29 edge but it might as well be 45-15 when you're talking about the difference in committee assignments and deciding which bills go to which committee and which ones get heard. So I think one reform that is important within the system that I think fusion voting will have some effect on too is the notion of restoring rights of the minority party in the legislative process itself. Speaker Jack Merkley has really tried to restore the rights

of the minority in somewhat of a revolutionary way. He's got an idea that if you can find two people from the opposite party to co-sponsor a bill with you, along with one other person from your own party, then that bill will be guaranteed a hearing and guaranteed a vote in committee. The reason I think that's relevant here is that with fusion voting, I mean you should go talk to the Libertarian Party and say how many bills did you pass last session. You know, they might have one or two, sometimes they can threaten and say look, you either pass this or we're going to run somebody against you and help take your person out because they'll have wasted their vote. Or the fusion parties could say look, we are a vital part of your coalition and we want you to pass enhancements to the minimum wage, we want healthcare for all kids, we want environmental protections placed in this particular legislative session, and then maybe they could negotiate three or four bills and help get things passed. So I think reforming, I think this will help reform the internal politics of the legislature too.

Melody Rose: If I could just go back to something Mr. Cantor said, I just want to clarify first of all that I'm not trying to suggest that Oregon voters don't understand the political parties or how they're voting. You know, I spend a lot of time with in particular young voters in my classrooms and I'm very impressed by them. But what I'm trying to say is that, you know, you're working on the ground on this very hard in the state of New York and elsewhere in the country, but the science of my discipline has no evidence about the way in which individual voters understand or don't understand these ballots. So what I'm trying to offer is that in terms of academic research we really don't know what the impact of the individual voter is about that new form of ballot. And so it's something that I think we need more information on, and it's something that I would urge research on. A question I have, I guess, is that if we are looking to minor political parties to send a message to the two major parties, which I think many of us are, if that message is coming from further out in the political spectrum, further out on the ideological spectrum, would then the implication be that the two major political parties would get pulled further apart and further on the ideological spectrum, which in one sense creates more light between them and more distinction and more clarity between them, but in that instance then might leave the sort of disengaged middle now without a place to go. So that's another research question, I'm sure that you have a sense for how that works on the ground in New York, but as far as research goes, we simply don't know what that consequence looks like.

Dan Cantor: Yeah we position ourselves in between the two parties actually. We endorse both Republicans and Democrats, we trend towards the Democrats, we have occasionally endorsed Republicans because we think our ideas are in fact centrist ideas: things like universal health care and decent wages. So I guess I would rotate your question and say it's top bottom and not left right. So more research is good.

Melody Rose: Well I think it depends on the minor party that we're talking about.

Dan Cantor: Sure.

Melody Rose: In the case of the Working Families Party, I would absolutely agree with you that they're positioning themselves in several states toward the middle and toward working class issues that aren't getting represented well in major parties, but that's not the only minor party that stands to benefit from fusion.

Dan Cantor: Sure, absolutely.

Melody Rose: So we have to be really careful and be really upfront about that potential outcome of pulling towards the polar opposites is a possibility. And we can't assume that that isn't a possible outcome.

Regina Lawrence: I just have a quick question and then I would like to propose that I could bring the microphone to whoever has a real question. Just where does the 2007 fusion voting bill stand, I wasn't aware that it had been introduced? Has it been introduced?

Ben Westlund: Yeah I believe it has been introduced on both sides of the building, I'm sure it will go to the rules committee. It will be a question of which one comes out, they are identical, so we'll see which chamber takes the lead on it. But it's there.

Regina Lawrence: What is it called do you know?

Ben Westlund: Barbara do you have the number on it?

Barbara: It doesn't yet have a number on it Ben it's still...

Ben Westlund: The Legislative Council?

Regina Lawrence: Okay, I'll look it up later.

Audience: I guess this question is specifically for Daniel. One question is that if there's going to be more choices on the ballot, in New York State specifically, do you have to go through a qualification process to get on the ballot so that to reduce the confusion of the voters so that if there are kind of nuance selections are they kept to a minimum through getting so many signatures to be on the ballot in the first place? And my second question is has there been an effort to tie in fusion voting with runoff elections because as you're getting more choices you're more likely to get a plurality so can you tie that into runoff voting to get from plurality to a majority vote?

Dan Cantor: Sure. The answer to the first question is yes. There is in every state, in New York as well as Oregon, rules about what a party has to do to qualify for the ballot, in our case it's 50,000 votes in the gubernatorial election, I think in Oregon it's, you can either do it through registrations, the number of registrants who enroll in your party or by getting I think it's 5% votes. That's very substantial, 5% is a lot of votes. If you're a 5% party, you've got a seat in the German Parliament. You can get a lot of things. So yes you do need to have those rules because you don't want the ballot cluttered with what we

in a loving way refer to as the wing nuts, you know the endless numbers of fractured parties. So you have to have some kind of standards, we have them in New York, you obviously have them here. The instant runoff reform, is that what you were referring to in how that relates to fusion or just runoff elections? What fusion does in runoff elections is that it increases the chance that you will be voting for a candidate that wins because you have less. Now we don't have the same, I don't know what the runoff requirements are here, we only have them in very few elections in New York. But in the general elections that follow on the runoffs, yeah it's very valuable to have the candidate on two lines so they get over that 50% hump which you want to have them feel like they got at least a majority of the vote. It's not the instant runoff idea, it's not incompatible with fusion, it's a different approach, it's a little bit more complicated and a lot more expensive. We like fusion, it's cheap it's simple, secretaries of state understand it, so that's one value to it.

Audience: I would like to know from Mr. Cantor how your party differs from what I grew up in, in North Dakota, with the Non-Partisan Leaguers, it was said during those years that I was there before college that if you weren't endorsed by the Non-Partisans, you couldn't win either one.

Dan Cantor: Well the Non-Partisan League is of course the model for all of us. The Non-Partisan League of North Dakota, one of the great grassroots efforts of American history. They basically owned the state, in the years leading up to WWI, and then were in a sense rebated out of existence after WWI, I'm not exactly sure why they declined. There's only one book about the Non-Partisan League but it's a great book, I can't remember the name of it right now. Something about the prairie. So yes, you know a New York Times report said to us not long ago, the Working Families endorsement is now the second most important endorsement in the state, after one particular important union in New York. That's pretty good after just eight years, I wouldn't say we're as powerful as the Non-Partisan League which did this same thing; it didn't have its own ballot line, but if you couldn't get their endorsement, you were much disadvantaged. So I would say it's a similar approach with a little added oomph of an actual added ballot line. When you have that ballot line it's line owning a television station; you get to broadcast to voters. Wesley, he's got the little WF, that means he's probably better than the one who doesn't have it. And voters down ballot especially, minor party cues, minor party brand, you know we try to say look for people with that, in our case, the Working Families seal of approval. And elected officials that have that seal of official, we tell voters, you know they're more likely to stand for issues that we stand for as a party. And we think this is a very useful thing to do, both for voters and for the elected officials themselves. You know, precisely what Representative Shields was saying before. I have never been asked a question about the Non-Partisan League of North Dakota. This is like my dream come true.

Audience: Hi Mr. Cantor, my name is Matt Hilton, I'm an activist with organized labor. My question for you specifically, I'm sure you can give examples of how you've had candidates elected as a direct result of the Working Families Party fusion votes, how are you able to hold those politicians accountable as far as their votes go?

Dan Cantor: Well I think we should let the elected officials, I mean as with any group of people it takes work. You don't just elect them once and they do everything they ask them to do forever. You have to meet with them, you have to nudge, you have to cajole, you have to help you have to provide support on the things they care about as well as the things you care about, and even then sometimes it fails. But more often than not, as I said before, we think that lots of people go into public service because they actually want to be public servants. And you know it's quite hard. The pressures on these guys is enormous constantly. If there's an organized group of people in their district saying we are going to support you hard, we're going to be there and what we want is action on this, they're fairly responsive. Not all of the time, but most of the time.

Ben Westlund: I appreciate the question because I think it highlights a little bit of what I was trying to say earlier with regard to how you're held accountable and who holds you accountable. If you go back to the math example where you functionally got 15% of the district, you get elected by that 15%. You go to session. That is heavily in the back of every elected officials mind, as well it should be; how are the voters going to hold me accountable? But if I'm going home in one of those heavily advantaged districts, and I know that it's that 15%, on the left or the right, that is holding me accountable, who do I play my votes to? Unfortunately, all too many representatives, senators, only play to that card to whom they are held accountable. And in our current closed primary system, you know it's too narrow a band of voters. We aren't elected to represent this party or that party, or even worse, in our current structure, this particular spectrum or that of a given party, we're elected to represent the whole district. So I think we are keenly aware of being held accountable, as well we should, so if you enter a different party structure where you have a different band of that entire district, you've got to go back and be held accountable to, I think it improves the quality of your decision-making of your representatives.

Chip Shields: Mitch Cringely, one of my mentors in the Oregon House and somebody who Senator Westlund has worked very close with on health care reform, he's got a motto that I try to follow. When he's making a decision its based on three things. One, he tells his constituents I'll tell you the truth, two he'll listen to you, and three I've got to vote my conscious. And so when I would think that of the Working Families Party saying they're going to hold me accountable, it wouldn't be so much that they're going to come in and threaten me but that they're going to come in and help me. And it would more be like that help's going to go away if you're not standing up for working people and I think that's probably how most legislatures would look at it. My district is not exactly like every other but I think a lot of legislatures would like at it that way, more of a positive than a negative.

Regina Lawrence : I just want to chime in a bit here. It would seem to me that the great advantage of fusion and the place that it would be the most dynamic and helpful, as Representative Shields puts it, would be if the minor party had reached a certain critical mass. I think that Dan can speak to this too, but I would assume, that if the Working Parties Family had brought along 15 or 20% of that vote, the muscle they have, the

people power they have to put people together in the capital, supporting, lobbying, cajoling, all that would be far greater and far more impactful than if the vote they had delivered had been 2 or 3 or 4%. So it seems to me that one of the questions becomes one of critical mass and the ability to leverage that kind of support when it gets to legislative decisions.

Audience: I would like to ask you a hypothetical question. I'm very sympathetic to the concept of fusion. But let's assume that we have this proposal and there's a proliferation of minor parties, or at least a substantial increase and each has a narrow self-interest, a smaller agenda than one of the major parties. And they try to seek satisfaction from one of the major parties after the election and they don't it. They don't get satisfaction, they don't get their agenda put into legislation. So maybe in the next election they don't seek to have fusion and run their own candidate. So have you thought about what might happen in those circumstances and does that not cause a very complex and a splintering of the party situation in the United States?

Dan Cantor: I don't think so. It's a very important question. Right now, in Oregon for example, you have scenario two. You have a lot of minor parties who can run candidates for office, presumably because they're dissatisfied with the major parties, and sometimes they have a big impact, usually by spoiling is when they have a bigger impact than anything else, but perhaps every now and then they generate enough energy to move some issues because they have great ideas. What we have seen in New York over many many decades is a much more stable, and Connecticut, much more stable than in Oregon or California, you have an endless number of parties in California, in New York we have a Conservative Party, and we have a Working Families Party, and lately we have something called an Independent Party, which is kind of a Perot party. And that's it. Every now and then we have something show up but it doesn't get enough votes. So there is a self-correcting mechanism here, if you're not popular enough, you don't get across the threshold that enables you to stay on the ballot. So if you have, if you're very narrow, we don't consider ourselves narrow, we're focused, but we consider our ideas to be very popular. This year, 155,184 great citizens agreed with us. If we take stupid positions that number will decline and eventually will go away, and that has happened to some of the minor parties in American history, obviously. So while I think that's a reasonable question in fact the evidence suggests that in a fusion system, because the stakes are real, that the minor party is actually trying to do business, not just be a protest party but actually help someone govern, right, we think that we have good ideas we would like to see them put into practice. It kind of modulates things and you know, forces a certain level of seriousness, and these are serious issues. So that's my answer.

Ben Westlund: If I could comment on Mr. Cantor's comments, I think he hit a very important point when he said "if the function of the minor party is quote to participate in governing, to help the process govern," that's one legitimate role of a minor party, and I think a more noble and desirable one. If the minor party, as Ron was eluding to, I guess after numerous times or several times if they'd been frustrated at their attempts to get a legitimate seat at the table to help the majority party govern I could understand them going off to play this spoiler role. I would honestly think that they would just dissolve

and disappear into the ether, because it's a lot of work to run a party and get the elections. But if there's a legitimate enough message with a broad enough appeal where that party was actually delivering enough votes to give whatever party was winning because of the fusion voting, to give them their big chair at the table, I think it would be foolish for them to discount the significant role that that quote minor party played.

Melody Rose: I think Dr. Tamon has asked an important question and I say that not just because he's my boss. I think what Ron is getting at here is that he's hinting away at some democratic theory and some democratic theorists would offer that the real value of political parties, particularly in America, is that they serve wide, inclusive, broad umbrella purposes, and, in contrast to say for instance interest groups which are highly focused, very specific and narrow for example in their membership and in their advocacy, the two-party system in America at its best, which is perhaps not right now, but at its best, provides broad umbrella room, the Lee Atwater room analogy comes to mind. And I would agree with Dan that in the case of Working Families there you have a party with a broad, generous approach and agenda but not all minor political parties serve that role. In fact, I would argue that across the span of American history, more minor parties than not have very narrowly focused. And that in part is why they get gobbled up by the larger two major political parties. So it I think does bear some consideration and some thought in terms of how fusion serves or disserves our theories of democratic participation and representation.

Dan Cantor: A very quick story. Spoiling can be important. Now we only do it or threaten to do it in very low-level races. There was a great moment, Nassau County is a big suburban county near New York City, and the county government which was run by some people we had elected, some Democratic friends in our case, they were cutting the bus lines to the one low income part of the county. So we said, well we're going to run our own candidate. If you're going to act like Republicans, in our point of view, if you're going to act like Republicans than we might as well run our own candidate and the county ledge was 9-8 Democrat. They went crazy. So we had this great negotiating session where the county leader looks at us, he can't believe that we're actually going to run this woman for office, which will cause their person to lose, the Republican will win, and will cause the legislature to flip. And he looks at us with exasperation and says "all you people care about is issues!" What happened in that case is that they restored the bus lines, we withdrew our candidate, they won, the Democrats won, they were happy, we were happy, the bus riders were very happy. So it's power, that's what this gives you.

Audience: My name is Mary I'm a student in the political science department. My first question is that I'm curious to know that in New York what the campaign experience looks like with these candidates. Do they respond to the third parties that endorse them? Do they change their platform, their message? And then alternatively in Oregon, if we were to invite fusion voting into our electoral system, would the third parties want to be a part of it or would they feel that it would be a concession on their major standpoints?

Dan Cantor: Excellent question. Very intelligent students here at the Hatfield School. It depends. Some candidates trumpet the fact that they have the Working Families

endorsement, some trumpet the fact that they have the Conservative Party endorsement depending on their own views, others kind of want the endorsement, mostly because they want to make sure that somebody else doesn't get it, but they don't put it on their literature. We try to say when we interview people if we endorse you, are you going to be ashamed of us or are you going to put it out there? We prefer the ones that aren't ashamed of us. And then the relationship that gets built is a process, there's a human element in politics and you need to try and create those ties. There are some minor parties in New York that don't fuse, they on principle, reject it, which is certainly their right. They run candidates for office who typically get many fewer votes but they still get some votes they don't get zero. I think it's because they're asking people to throw, from my point of view they're asking people to throw their vote away. From their point of view they're asking people to take a principled stand against the major parties. But from our point of view we're trying to be the left edge of the possible, and other people want to do something more than that. But that's why it's a great country.

Audience: My name's Chris Henry. I'm with the Pacific Green Party of Oregon. I don't see any other parties represented here except for the Working Families Party. I've got a couple of questions. I'm curious, you've brought up the spoiler effect, you've brought up throwing away a vote, and you've brought up protesting parties. Well I'm curious because in Minnesota there was the bill that you're probably well familiar with, that bans fusion voting in Minnesota. That was ten years ago. There was a Supreme Court decision that came down. So what I'm curious about is that they've instituted instant runoff voting in Minneapolis. In San Francisco, they instituted instant runoff voting in San Francisco in about 2002 and they've run elections on it. And they've seen historical turnouts, people are actually willing to show up. Now what I'm wondering is first of all how will this benefit third parties because what I see it doing is it's consolidating power in the parties and not putting power in the people's hands to be able to make the choices themselves because in Oregon the fastest growing party is Non-Partisan. I'm wondering, how is that going to further democracy for people because I see more power as a good thing and consolidating them not so good and if I as the green party do not get your endorsement and you decide, hey we're going to endorse a Democrat, then that does not help a third party. But if people have the option to vote their choice, then that does give them power. So I'm wondering how will this benefit the Pacific Green Party of Oregon when you pass this.

Dan Cantor: One could imagine the Pacific Green Party increasing its power a hundred fold in certain races. It could say to people, we'll vote for so and so but if you were willing to fuse, it may be that the Pacific Greens don't want to use fusion they want to run only their own people for office. That's the choice that the members of that party have to make. We sometimes run our own candidates against the two major parties. It's uncommon but we definitely do it, we've won a few elections, usually at the county or city council level. It's very difficult to win a third party election in America. We should be clear about this: it almost never happens. That in a partisan election, not non-partisan, it's exceedingly rare. There have been under a dozen examples in the last thirty years and there have been about three million elections in that time. So that's pretty hard to do. So we're trying, within the American context, to give more power to the adherents of the

minor party, which we think is best done through the adoption of a system that allows a minor party to make an alliance, but hopefully an alliance of mutual respect with one of the major parties. There are some cases where we have in New York fused with the greens. There's a Working Families-Green fusion against the major parties. It's happened a few times, we've always got crushed. But, you know, that's what the local people wanted to do, it's a Democratic organization, that's what we did. In the main, are people are more interested in, there are two different traditions in American minor parties. There is the tradition you represent, a very noble one, which is the minor party as kind of a witness against power. There is the tradition I come out of, which is the minor party trying to govern. They are two different approaches, they're both valid, I would say that fusion voting is more stable and the experience in New York, I will tell you that the Working Families Party in New York, and the Conservative Party for that matter, are way more powerful as third parties than the third parties in non-fusion states. We determine electoral outcomes, we write legislation, we lobby, you know we do all the things that a sensible party does. And if that's something that is attractive to citizens in Oregon, that's what will happen.

Audience: I disagree that there is a sensible party and a non-sensible party.

Dan Cantor: Fair enough.

Audience: And I disagree that we are a witness of power.

Dan Cantor: Okay.

Ben Westlund: I want to speak a little bit I think Chris, in support of what I heard you saying in terms of other alternatives to fusion. I've looked at instant runoff balloting, I see some great attraction to it and I have looked at the San Francisco example where turnouts increased tremendously and I guess it's not a question for you it's a question for Daniel. Are these mutually exclusive in any way and so this harkens back to my opening remarks. It's that what I think is incumbent on all of us on the panel but more so on you is to insist on electoral reform that allows the greatest choice for individual voters and again, most importantly, allows them vote to their hope not their fear.

Chip Shields: You know in some of these House races the vote different is so incredibly close. Mary Nolen of Southwest Portland won her election by seven votes I think. Jeff Barker in the general election in Aloha won his race by forty and I think Kate Brown won her first race for office by something like fourteen votes and the problem in those swing districts is that it only comes down to about two hundred votes. They could really use Green Party votes. In my district there are about seven hundred Green Party members and I take their views very seriously. But if say Chuck Riley in Hillsboro who wins elections by two or four hundred votes, he's out there fighting for your vote but at the end of the day when he looks at the election tally he doesn't know if the Greens voted for him or not. So this would be one way that this could help that so that when you knocked on Chuck's door say hey you know by the way these results show that we tipped the election to you. Come on, do something.

Audience: Well this goes directly to Ben and I'm curious, in your race for governor, you stepped down before you actually received the tally on your numbers for petitions. And you stepped down because your stated reason was that you didn't want to be a spoiler. And I'm wondering how this, how fusion voting, would have helped you not be a spoiler whereas instant runoff voting would have afforded everyone to be able to participate in the election no matter what party they came from and on Chip's point, that if Greens voted for you as their second choice, they voted for say Joe Keating, our candidate, as their first choice, Ben Westlund as their second choice, if Joe did not get the majority of votes, then they would go to you or be split up to whoever the second or third choice is in an instant runoff.

Ben Westlund: A couple points. First of all, I think one thing we have to be cognoscente of, and as Chris eluded, I was independent candidate for governor and worked very hard, incredibly hard with a gifted staff to get as many signatures as we got. What I found to be somewhat ironic and inconsistent with that is that I had to work harder as an individual candidate to qualify myself for the ballot than individuals do if they want to form a bonified political party. That just strikes me as innately unfair and something that we as policymakers should personally address. With regard to Chris's question, that's why I spoke, I think, everyone understood I was speaking in quite supportive terms of instant runoff balloting. I've looked at that and I see an innate fairness there as well. I don't have a problem with fusion in any way shape or form. It's a good thing. It's an absolute step in the right direction. But it doesn't fundamentally address the problem that I think Chris is getting at that I found in my gubernatorial bid and what most of all more and more Oregonians are becoming increasingly frustrated with and that is the choices that come out of a closed primary system. This is our challenge as a people, is to be more able to better cast not only a more informed vote but a vote that will allow an individual once elected to represent the whole district, whether it's a Rep or a Senate district or a state-wide office, be more capable of conscientiously and consistently representing that whole district. And I think we need to go further than just fusion. It's a big issue.

Melody Rose: If I might offer just a quick point of clarification that I thought of in response to your question, in case it's not obvious to anyone in a fusion voting situation what I would assume the state would do is to make fusion voting a possibility, not a requirement. So in a case like New York where fusion voting is legal, that does not mandate that any given third or minor party must fuse with another party. So you and your situation here in Oregon would still be liberated to stand firm to your principles and your individual candidate if that was in your strategic and philosophical best interest. So just for purposes of clarification it's not a mandate it's a potential.

Audience: And IRV is not compatible with fusion and we've had many conversations with the Greens and the IRV network of people back east about that.

Chip Shields: And I'm also interested in the idea and I would commit to you right now that if you had a Green Party member that asked me to submit that legislation at their request I'd be more than happy to do it.

Regina Lawrence: Good well I want to thank everyone again for coming and spending your time with us this afternoon it certainly has been informative and especially to thank again our cosponsors, the League of Women Voters, "Oregon's Future" Magazine, and also OPB and to thank our panelists.

(Audience claps)