Home (/) Newest Stories (/newest-stories) Opinion (/opinion) Subscribe (/eye-opener) Podcasts Election Coverage Reporters

Connect with us   Columnists Contact Us (/contact-us)

Donate (https://www.citizensunionfoundation.org/secure/donate/ggorderform.php)

Opinion

From the 'Third Party' Front Lines, How to Address Fusion Voting, Party Qualifications, and New York Democracy (/opinion/130-opinion/8915-new-york-democracy-fusion-voting-green-party)

November 15, 2019 | by Howie Hawkins (/component/contact/contact/1610-howie-hawkins?Itemid=327)

Tweet   Like 80   Share

Tweet
79
Like
Share

w.joomarketer.com/joomla-extensions/joomsharebar)

Howie Hawkins, the author (photo: Green Party)

"The Democrats' Secret Plan to Kill Third Parties in New York," as reported by The New York Times (https://www.nytimes.com/2019/10/29/nyregion/election-third-party-ny.html) (Oct. 29), brings to mind how the Democratic Party establishment manipulated (https://www.vox.com/policy-and-politics/2017/11/14/16640082/donna-brazile-warren-bernie-sanders-democratic-primary-rigged) the 2016 primary process to favor the corporate candidate, Hillary Clinton, over her progressive challenger, Bernie Sanders.

Now the New York Democratic Party establishment, led by the Governor Andrew Cuomo-appointed chair of that party, Jay Jacobs, proposes to silence bothersome third parties by increasing by five times (from 50,000 to 250,000) the number of votes needed by a party's gubernatorial ticket to qualify the party for the ballot.

It is no secret that Cuomo, Jacobs, and other establishment Democrats are irritated by public criticisms and primary challenges from the Working Families Party, which functions as a progressive faction of the Democratic Party. The WFP uses its ballot line as political leverage in the Democratic Party by threatening and sometimes mounting primary challenges to establishment Democrats, although it almost always runs the Democratic primary winner on its ballot line in the general election.

A much bigger issue is at stake here than this internal Democratic squabble: the people's right to have the full diversity of their voices and choices participating in elections. Election law reforms should promote multi-party democracy, not cement in place the two-party system of corporate rule where both major parties are financed by wealthy special interests.

As the Green Party candidate for governor three times between between 2010 and 2018, I came in third each time among five to seven candidates. I received between 60,000 and 184,000 votes, the latter total accounting for 4.8 percent of the total vote. Our vote was always above the longstanding 50,000 vote standard but well below the 250,000 votes that Jacobs proposes. Jacobs is targeting the Green Party's very right to participate in elections.

Jacobs justifies his proposal by saying New York needs to eliminate the corruption of "sham" parties that trade their ballot line for political favors. The Green Party is by no definition a "sham" party. The Green Party runs its own candidates against both establishment parties. It doesn't accept donations from corporate interests. It doesn't trade its ballot nominations for favors from the major parties. It is not a faction of the Democratic Party, like the WFP, nor a faction of the Republican Party, like the Conservative Party. It is not for sale to the highest bidder between the two major parties, like the misnamed Independence Party.

Jacobs also said he wants to reduce voter confusion. Here I agree. In the 2018 election I faced four Cuomos and three Molinaros on the ballot in this order:

Democratic	Andrew Cuomo
Republican	Marc Molinaro
Conservative	Marc Molinaro
Green	Howie Hawkins
Working Families	Andrew Cuomo
Independence	Andrew Cuomo
Women's Equality	Andrew Cuomo
Reform	Marc Molinaro
SAM	Stephanie Miner
Libertarian	Larry Sharpe

The ballot should have had five ballot lines for the five candidates instead of ten ballot lines for each party making a nomination. New York's "disaggregated fusion," where every party nomination creates another ballot line, does indeed make for confusing ballots.

Future ballots should be simplified by putting all the party nominations a candidate receives under their name instead of giving them a separate ballot line for each party nomination. Most states that permit multiple party nominations use this "aggregated fusion" of one ballot line per candidate, including Delaware, Idaho, Mississippi, Oregon, and Vermont. Aggregated fusion was used by New York City on its ballots (https://timesmachine.nytimes.com/timesmachine/1937/11/01/94450387.html?pageNumber=4) when it had ranked-choice voting for proportional representation on the City Council from 1936 to 1947.

Aggregated fusion ballots for New York would require a different standard for ballot qualification than the current 50,000 votes for the party's gubernatorial ticket. New York is unique among the states in having a fixed number of votes for governor on a party's separate ballot line as the sole standard for ballot qualification. Most other states use the more reasonable standards of a minimum party enrollment and/or a minimum percentage of the vote. In New York, we should allow parties to qualify for the ballot by either having a minimum number of party enrollees – 20,000 would be reasonable – or by receiving 1 percent of the vote for any statewide office.

It would also serve fair elections to have the candidates listed in random order, with a separate page for each office and random ordering of candidates on each page. Political scientists have found a ballot name-order effect (https://www.motherjones.com/kevin-drum/2017/08/being-the-first-name-on-the-ballot-has-a-huge-effect/) of 1 percent to 10 percent, with the effect increasing on down-ballot, low-information contests. We don't have to cram every office and ballot proposition onto one page. We don't use lever machines to record votes anymore.

Ballot access in the United States is more difficult than almost every other electoral democracy in the world. To qualify independent candidates for the ballot for national legislatures, it takes two signatures in New Zealand (https://elections.nz/guidance-and-rules/for-candidates/becoming-a-candidate/), 10 signatures in the UK (https://www.parliament.uk/about/mps-and-lords/members/electing-mps/candidates/) and India (https://eci.gov.in/faqs/elections/faqs-for-rosdeos/faqs-for-rosdeos-r14/), 50 signatures in Australia (https://en.wikipedia.org/wiki/Electoral_system_of_Australia#Nomination), 100 signatures in Canada (https://www.elections.ca/content.asp?section=pol&dir=can/bck&document=index&lang=e), and 200 signatures in Germany (https://aceproject.org/ero-en/regions/europe/DE/germany-federal-election-act-amended-to-2013). In New York, it takes 3,500

signatures for independents to get on the ballot for Congress. Many states' signature requirements for independent congressional candidates are more restrictive. Illinois, for example, requires 5 percent of the district total vote in the previous election, which comes to over 15,000 signatures.

Party suppression in America is part of the broader problem of voter suppression. Many voters stay home because they believe that the Democrats and the Republicans do not represent their concerns. Instead of restricting the voices and choices in our elections, we should expand them by instituting proportional representation in legislative bodies, as do most electoral democracies around the world.

Under proportional representation, each party gets representatives in the legislative party in proportion to the votes its candidates receive. No vote is wasted. Every vote counts toward getting your party its fair share of representation. When New York City had proportional representation, the number of parties represented (https://www.fairvote.org/proportion_representation_in_new_york_city_1936_1947) in the City Council increased from two to between five and seven for each two-year cycle.

Third parties are attacked by major party partisans for "splitting the vote" in our single-member-district, winner-take-all system. Many voters feel compelled to vote for a "lesser evil" major party candidate instead of the third party candidate they really prefer in hopes of preventing a victory by the other major party candidate they fear more. Proportional representation ends the vote-splitting problem for legislative races.

For single-seat executive offices, the answer to vote-splitting is ranked-choice voting. Voters rank their choices in order of preference. If no candidate receives a majority in the first count, the last place candidate is eliminated and their voters' ballots are transferred to their second choices. That process continues until a candidate receives a majority of votes. Ireland, Malta, and Sri Lanka elect their presidents by ranked-choice voting. Maine will award its electoral votes in 2020 by ranked-choice voting. New York City voters just approved ranked-choice voting, but it will only apply to city-level offices and only in party primaries or special elections, not general elections.

Many prominent Democrats blame Green Party candidates like Ralph Nader in 2000 and Jill Stein in 2016 for their own losses to Republican presidential candidates, as Hillary Clinton (https://www.wsj.com/articles/clinton-says-gop-is-grooming-third-party-candidate-to-aid-trump-11571423236) did again last month. The last two Republican presidents, George W. Bush and Donald Trump, were first elected despite losing the popular vote. The Green Party didn't do that. The Electoral College did. Instead of picking on the Greens, the Democrats should join the Greens in fighting to end this problem by replacing the archaic anti-democratic Electoral College with a national popular vote for president using ranked-choice voting.

The Democrats' plan to eliminate third parties in New York is a plan to reduce democracy. Let's support reforms that expand democracy, including fair ballot access, fair ballots, proportional representation, ranked-choice voting, and public campaign financing

***

Howie Hawkins, a three-time New York gubernatorial nominee of the Green Party, is currently a candidate for the Green nomination for president. On Twitter @HowieHawkins (https://twitter.com/HowieHawkins).

***

Have an op-ed idea or submission for Gotham Gazette? Email opinion@gothamgazette.com (https://mail.google.com/mail/?view=cm&fs=1&tf=1&to=opinion@gothamgazette.com)

TAGS: GREEN PARTY (/COMPONENT/TAGS/TAG/GREEN-PARTY) • FUSION VOTING (/COMPONENT/TAGS/TAG/FUSION-VOTING) • HOWIE HAWKINS (/COMPONENT/TAGS/TAG/HOWIE-HAWKINS)

A PUBLICATION OF
CITIZENS UNION FOUNDATION
(https://citizensunion.org/about/)

Tuesday, Dec. 3
The News Conference
Real & POWERFUL
www.fairmediacouncil.org