



As I See It:

Understanding Fusion Voting





No single electoral reform is going to cure every ailing aspect of democracy in the United States. But at least one reform, fusion voting, is ripe for reexamination by courts that previously upheld state bans on its use. This article explains what fusion voting is and why people are talking about it.

BY JEFFREY A. MANDELL & KACY C. GUREWITZ

Fusion voting is having a moment. In several states, including Wisconsin, lawsuits have been filed to invalidate old laws banning fusion nominations.¹ The American Bar Association Task Force for American Democracy [hereinafter the ABA Task Force] recommended that states consider fusion as a remedy to governmental gridlock arising from hyper-partisan polarization,² and the University of Wisconsin Law School recently hosted a day-long academic conference on the possibility of reviving fusion voting in Wisconsin.³ But what is fusion voting? Despite its importance in Wisconsin history, most people today, including many election lawyers and politically engaged individuals, are unfamiliar with the idea. Given the potential role fusion could play in ameliorating democratic decline, that's unfortunate.

What Is Fusion Voting?

In short, fusion voting refers to the ability of candidates to accept nominations from multiple parties for the same office. As the ABA Task Force described, "fusion voting allows two or more

parties to nominate the same candidate, with that candidate's consent. Such candidates appear on the ballot under the banner of each legally recognized party. Votes are tallied separately by party and then [all votes for each candidate are] added together to produce the final outcome."⁴

Consider, for example, a non-fusion election for statewide office. The Democratic Party nominates candidate A, and the Republican Party nominates candidate B. Two smaller parties put forward their own candidates, C and D, respectively. Wisconsin is a closely divided state, so either candidate A or B is almost certain to win, likely by a slim margin. Candidates C and D will each win a small share of the vote; not only will the two of them together win more votes than the margin of victory between candidates A and B, but one of them alone will surpass that margin. That has happened here in Wisconsin, as illustrated in the accompanying table showing the results of Wisconsin's 2024 election for U.S. Senate.⁵ [See Figure 1.]

Now imagine that fusion voting is legal in Wisconsin. Smaller parties still have the option

Figure 1

Results of Wisconsin's 2024 Election for U.S. Senate

Party	Candidate	Votes	Percentage
Democratic	Tammy Baldwin	1,672,777	49.33 (winner)
Republican	Eric Hovde	1,643,996	48.48
Disrupt the Corruption	Phil Anderson	42,315	01.25
America First	Thomas Leager	28,751	00.85
n/a	[various write-ins]	2,948	00.09

to nominate their own candidates who will attract a tiny sliver of the vote. They also have the option of cross-nominating the major-party candidates best aligned with their party, and they can then urge voters to support the major-party candidate on the fusion-party line. If their candidate wins – especially if their voting line contributes more than the margin of victory – the smaller party is well positioned to demand their candidate advance the party’s issues and keep the promises made when the party agreed to fuse on that candidate.

Here are two fictional scenarios that show how this might work.⁶ [See Figure 2.] In Scenario 1, the minor Fusion Party fuses with the Republican Party to support its candidate, Roberts. While Democratic candidate Williams garnered 44% of the total vote (the most on any one ballot line), Republican candidate Roberts wins this fusion election. Roberts received 43% of the vote on the Republican Party line (not enough to overcome Williams) and adds the 13% of the vote she received on the Fusion Party to total 56% of the vote.

In Scenario 2, we see that this system holds up when a larger number of minor parties are added to the mix, even when some choose not to utilize fusion. In this case, Democratic candidate Smith receives 42% of the total vote, while

Figure 2

Scenario 1

Party	Candidate	Percentage
Democratic	Williams	44
Republican	Roberts	43 (winner)
Fusion	Roberts	13 (winner)

Scenario 2

Party	Candidate	Percentage
Democratic	Smith	42 (winner)
Republican	Jones	46
Fusion	Smith	11 (winner)
Green	Hughes	0.5
Libertarian	McCormack	0.5

Republican candidate Jones receives 46%. But when the Fusion Party line, where Smith received another 11% of the vote, is added in, Smith comes out ahead with 53% of the total vote. Smith wins the election. Here, again, fusion makes the difference in the outcome of an election.

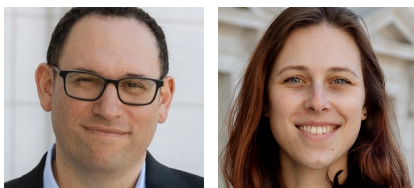
Why Fusion Voting?

A plurality of Wisconsin registered voters – 39% – don’t identify with either the Republican or the Democratic Party.⁷ This is consistent with national opinion: 38% of American voters say that neither of the major parties fights for people like them,⁸ and among those who identify as Democrats or Republicans, fewer than one in four believe that their own party has “a lot of good ideas.”⁹ While there are often third-party options on Wisconsin ballots, voters know that third-party candidates rarely win. Most people don’t want to waste their vote on a candidate with no possibility of winning, or worse, risk “spoiling” an election by helping to elect their least-preferred candidate. Fusion voting would allow those Wisconsinites to vote on the ballot line of a political party whose values align with their own, while still supporting a

candidate with a shot of winning (that is, a candidate also nominated by one of the two major parties). Even if that major-party candidate weren’t seen as ideal, a voter who previously could not vote at all or do so only while holding their nose would now be able to send a message about what their vote stands for. Candidates and the major parties would hear that message, especially if they want to compete for those votes in the future.

Proponents believe fusion parties and voters aligned with those parties would build power over time. Fusion voting “disrupts the restrictive two-party binary”¹⁰ because it incentivizes smaller political parties to form and allows them to accumulate and exert power. When voters choose to vote on a smaller party’s fusion line, they increase that party’s leverage.

This is not a mere abstraction. Fusion voting has been extensively used in the United States. It is a major part of Wisconsin’s political history, and it is an active practice in two states that currently allow it. The next two sections take a closer look, first back in time, then to two states on the East Coast.



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Fusion Voting Was a Force in 19th-Century Wisconsin

Fusion was a defining thread in the pattern of Wisconsin's political culture for the state's first half-century. After state residents who could vote rejected Wisconsin's first proposed constitution, the second constitutional convention united Whigs and Free Soilers, both of which endorsed ratifying the new constitution.¹¹ Three years later, Wisconsin's second governor, Leonard J. Farwell, was elected as a fusion candidate, nominated by both the Whig Party and the Free Soil Party.¹² And several abolitionist parties united in 1854 at the Little White Schoolhouse in Ripon, agreeing to cross-nominate several candidates from the constituent parties under the banner of the new Republican Party.¹³ The Republican Party was a smashing success, not only subsuming the abolitionist parties but leading to the dissolution of the Whigs and becoming the national counterpoint to the Democratic Party.¹⁴

From the first election they contested in 1854, Republicans dominated Wisconsin politics for decades, but they frequently won by narrow margins.¹⁵ In 1873, the Democrats fused with the Reform Party and achieved rare success, electing William R. Taylor as governor and taking control of the Wisconsin Legislature.¹⁶ Though the Republicans quickly regained control in 1875, Wisconsin politics remained volatile.¹⁷ Over the next two decades, myriad political organizations sprang up in Wisconsin, including the Grange Movement, the Silver Party, the Greenback Party, the Temperance Party, the Labor Party, and the Populist Party.¹⁸ These smaller parties fused at times with the Democrats, at times with the Republicans, and sometimes with one another.¹⁹ Indeed, the Democrats and the Republicans occasionally fused together to deter the smaller parties.²⁰

In 1897, when Republicans controlled all state offices and 119 of the 133 seats in the legislature, their leadership sought to consolidate control by

adopting a law prohibiting fusion voting.²¹ That law remains in place today, limiting parties from cross-nominating candidates and denying voters the opportunity to cast votes for the parties and candidates of their choice.²²

Contemporary Fusion Voting in New York and Connecticut

There's no need to conceptualize fusion voting solely on its historical record. Fusion voting is legal and widely used today in two states, New York and Connecticut; in both, in recent years there has been relatively stable majority support for Democratic-leaning candidates. In these states, the most active fusion party is the Working Families Party (WFP), a progressive political party that operates generally to the political left of the Democratic Party. The WFP has championed raising the minimum wage, paid family leave, and reforming health care, among other issues.²³

The WFP has sometimes provided the winning margin for Democratic candidates it has cross-endorsed.²⁴ At other times, the WFP has run its own candidates for office, rather than cross-endorsing a major-party candidate; for example, New York Attorney General Letitia James was first elected to the New York City Council on the WFP line, running against, rather than with, the Democratic Party nominee.²⁵ The WFP has also, at times, cross-endorsed Republican candidates.²⁶

The WFP is not the only smaller party in New York and Connecticut. The Conservative Party is active in New York politics, often but not always cross-endorsing Republican candidates.²⁷ In 1994, the Conservative Party garnered on its line more than the winning margin for the Republican candidates for governor and attorney general.²⁸ The Connecticut Independent Party both cross-endorses candidates and runs its own candidates for office.²⁹ The Green Party, which is active in both New York and Connecticut, runs its own candidates and does not support fusion voting.³⁰

Previous Litigation Over Fusion Voting

By banning fusion voting, state governments – controlled by the two major parties – have barred groups of people with distinct beliefs (that is, political parties) from putting candidates on the ballot just because another group has already supported them. It should come as no surprise that the issue has been heavily litigated. The major parties don't welcome competition, and U.S. voters and smaller parties don't like having their freedoms taken away.

In fact, Wisconsin's fusion-voting ban faced an immediate challenge, *State ex rel. Anderson v. Runge*, rooted solely in the state constitution's Article III right to vote by ballot. That challenge failed because the Wisconsin Supreme Court found that "ballot" as used in Article III meant any written or printed paper showing the voter's choice, and thus the ban on fusion voting did not contravene that right.³¹ A compelling dissent made the point that the fusion-voting ban served no purpose except to impair small political parties and thereby limit the efficacy of some voters' preferences.³² In other states, too, challenges in that era were generally rejected.³³ A notable exception is New York, where the fusion-voting ban was struck down as a violation of the state constitution.³⁴

But the story does not end there. A few decades ago, Wisconsin lawyers Joel Rogers and Sarah Siskind became interested in fusion voting. They challenged the fusion-voting bans in Wisconsin and Minnesota as violating the U.S. Constitution. The Wisconsin case, *Swamp v. Kennedy*, ended with an adverse decision from the Seventh Circuit.³⁵ The Minnesota case, *Timmons v. Twin Cities Area New Party*, reached the U.S. Supreme Court, which turned aside the claim that fusion-voting bans violate the federal constitution, holding that states have a compelling interest in protecting the stability of the two-party system and that prohibitions on fusion voting are sufficiently tailored to advance that interest without infringing

on other federal constitutional rights.³⁶

Criticized from the moment it was issued,³⁷ the reasoning of the *Timmons* decision makes even less sense today than it did in 1997. Over the past generation, heightened partisan polarization³⁸ and intensifying governmental gridlock have shown our two-party system is far less stable than the *Timmons* majority asserted. While political scientists in the 1990s extolled America’s political duopoly as a strength of our system, a growing number of political scientists now see it as a vulnerability. As political scientist Lee Drutman has written, “[t]he two-party system no longer functions as a stabilizing force in American democracy. By every standard measure of polarization – roll-call voting patterns, geographic sorting, affective partisan hostility – the current system has produced unprecedented levels of dysfunction both nationally and in Wisconsin specifically. Far from moderating conflict, the pure binary competition between two internally homogeneous parties has created ... a ‘doom loop’ of escalating partisan warfare, in which each round of hardball politics justifies the next, with no obvious resolution.”³⁹

The alarm isn’t limited to academics and minor parties. A plurality of voters, in poll after poll, express a sense of political exclusion – a perception that neither of the two major parties consistently speaks to their needs and interests.⁴⁰ And close observers, including but not limited to the ABA Task Force, are expressing the need for change.

All of this suggests that fusion voting is ripe for reexamination by the courts. And the recent emphasis on state constitutional rights, distinct from – and often more strongly protective of democracy than – federal provisions, provides a ready avenue for expanding fusion voting without having to relitigate *Timmons* under federal constitutional law. As Notre Dame Law Professor Derek Muller said at the recent UW Law conference, “State courts definitely should chart their own paths.”⁴¹

The Current Wisconsin Litigation

As noted above, Wisconsin is one of a few states with active litigation to revive fusion voting.⁴² The litigation is led by United Wisconsin, a nascent political party seeking to empower Wisconsin centrists. Individual plaintiffs include United Wisconsin executive director Kris Andrews (who previously served as chief of staff to two Republican congressional representatives for Wisconsin), as well as co-chairs Dale Schultz (previously Republican majority leader of the Wisconsin Senate) and Dave Mahoney (previously elected Dane County sheriff as a Democrat). David Deininger also is a plaintiff. Deininger served as a Wisconsin Court of Appeals judge for more than a decade, after spending several terms in the Assembly as a Republican and before being appointed (by Democratic Governor Jim Doyle) as the first chair of the Government Accountability Board. Another plaintiff is Lee Rasch, longtime president of Western Technical College and now the founding executive director of Leader Ethics, a nonprofit, nonpartisan organization committed to promoting ethical leadership in public office.

The plaintiffs argue that the 1897 fusion-voting ban violates several provisions of the Wisconsin Constitution:

- Article I, §§ 3 and 4: The fusion ban limits the associational rights of Wisconsin voters and small political parties alike, and it impairs the free speech rights of smaller political parties.

- Article I, § 1: The fusion ban violates equal protection because it was enacted as an overt effort to disadvantage competition, intentionally locking the Democratic and Republican Parties into power at the expense of all other parties and the voters who would prefer to affiliate with parties outside that duopoly.

- Article I, § 22: The fusion ban is inconsistent with the guarantee to maintain a free government because building political coalitions through cross-nomination and fusion voting is a first principle of Wisconsin political history.

Any one of these alleged constitutional violations is an independent ground for invalidating the 1897 ban, which would make fusion voting available again in Wisconsin.

The case has completed expert discovery, and summary-judgment briefing is scheduled for this spring. Meanwhile, United Wisconsin is actively organizing, with hopes to be able to meet with major-party nominees in upcoming elections and cross-nominate the candidates who most align with its platform.⁴³

Objections to Fusion Voting

Even fusion voting’s proponents do not consider it a panacea for every challenge facing democracy in the U.S. Much of the opposition to fusion comes from the duopoly parties, which understandably do not welcome competition; this includes manufactured objections, such as the notion that fusion is too confusing for voters. Most credible arguments raised against fusion voting are complaints that it can only accomplish so much, rather than fears that it is harmful. And none of the arguments addresses the claims that Wisconsin’s fusion-voting ban violates the state constitution. Nonetheless, the questions behind those arguments merit consideration.

Will fusion voting aggravate polarization? This question recognizes that the most active fusion parties in contemporary American politics are the Working Families Party (on the left) and the Conservative Party (on the right),

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though a Moderate Party has formed on Long Island, N.Y., and Connecticut had a powerful, centrist fusion party, A Connecticut Party, founded by Lowell Weicker, which has recently been revived.⁴⁴ “Fusion is value-neutral,” Notre Dame’s Muller noted at the UW Law conference; it need not favor centrism or moderation, just as it need not privilege extremism on either end of the political spectrum.⁴⁵ In Wisconsin, polling data (and the formation of United Wisconsin) suggest a substantial population of voters feel unrepresented in the political center, so fusion nominations would likely crop up among moderate parties.

Will fusion voting cause confusion?

This question focuses on how changes in electoral rules sometimes backfire by reducing participation. But it ignores both history and social science. Our forebears had no difficulty understanding fusion voting, even with far less access to political information than we have today. Residents of New York and Connecticut have no difficulty with fusion voting. And a recent national, double-blind study found that fusion did not confuse voters or make it harder for them to find on the ballot the candidate they wished to vote for.⁴⁶ Moreover, because fusion voting expands voter options but leaves in place the existing choice to vote for a major-party candidate on the major-party line, it does not require any voters to change their existing habits. Finally, the tabulation process has a failsafe to deal with the only plausible mistake voters might make on a fusion ballot, which is voting for the same candidate on more than one party line.⁴⁷

Why fusion voting instead of another reform? This is not an objection to fusion voting so much as a form of what-aboutism. Those asking this question may favor ranked-choice voting, open primaries, proportional representation, public financing of campaigns, or some combination of these ideas. But no single electoral reform is going to cure every aspect of our democracy that is ailing. The ABA Task Force recognizes as

much.⁴⁸ And fusion voting is not exclusive of other electoral reforms, as shown by New York City adopting ranked-choice voting in conjunction with the state’s existing use of fusion voting.

Conclusion

Fusion voting is not a novel idea; its roots in Wisconsin predate statehood. People are increasingly giving fusion a fresh look as a possible response to the challenges obstructing democracy in

the U.S. Speaking at the recent U.W. Law School conference, Beau Tremiere, a lawyer at Protect Democracy and counsel in the Kansas and New Jersey fusion cases, noted that “there’s a lot of energy to do something better, and fusion makes that easier.”⁴⁹ During the Q&A portion of the next panel, one of the Wisconsin plaintiffs, Lee Rasch, shared his bottom-line diagnosis: “The worst thing we can do is nothing.”⁵⁰ **WL**



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ENDNOTES

¹See *United Wis. v. Wisconsin Elections Comm'n*, No. 2025CV1438 (Wis. Cir. Ct. Dane Cnty. April 28, 2025); *United Kansas Inc. v. Schwab*, No. SA 2024-CV-152, Mem. Dec. & Order (28th Judicial Dist. Ct., Saline Cnty., Kan. March 3, 2025), *appeal pending*, No. 25-128896-A (Kan. Ct. App.); *In re Malinowski*, Nos. A-3542-21 & 3543-21 (N.J. App. Div. Feb. 26, 2025), *appeal pending*, No. 90515 (N.J.).

²ABA Task Force for American Democracy, 2025 Report, § III.C.3, https://www.americanbar.org/groups/public_interest/election_law/american-democracy/our-work/2025-report/ [hereinafter ABA 2025 Report].

³The conference, titled *Parties, Power, and Possibility: Revisiting Fusion Voting in Wisconsin*, was held on Nov. 14, 2025. It was sponsored by the University of Wisconsin Law School, the Tommy G. Thompson Center on Public Leadership, the Elections Research Center, the State Democracy Research Initiative, New America, and the Center for Ballot Freedom. A recording is available at https://law.wisc.edu/newsletter/Features/See_Photos_Video_from_Parties_Po_2025-11-25.

⁴ABA 2025 Report, *supra* note 2, § III.C.3.

⁵Democrat Tammy Baldwin defeated Republican Eric Hovde by 28,781 votes (or 0.085% of the total votes cast). Phillip Anderson, running on the Disrupt the Corruption line, won 42,315 votes, and Thomas Leager, on the America First line, fell only 30 votes shy of the margin between the leading candidates, winning 27,751 votes. Taken together, Anderson and Leager won 70,066 votes, almost 2.5 times as many votes as the number that separated the two leading candidates. See WEC Canvass Reporting System, County by County Report, 2024 General Election, United States Senator, https://elections.wi.gov/sites/default/files/documents/County%20by%20County%20Report_US%20Senate_1.pdf.

⁶These two fictional scenarios are adapted from Center for Ballot Freedom, https://centerforballotfreedom.org/wp-content/uploads/sites/199/CBF_-How-Fusion-Works-.pdf.

⁷Marquette Univ. Law School, "Party ID lean," in *Marquette Law School Supreme Court Poll October 15-22, 2025*, <https://law.marquette.edu/poll/wp-content/uploads/2025/10/MLSP86ToplinesRV.html#party-id-lean>.

⁸Bridget Bowman & Ben Kamisar, *Poll: A Sizeable Chunk of Americans Think Neither Party 'Fights for People Like You'*, NBC News (Apr. 25, 2025), <https://www.nbcnews.com/politics/elections/poll-sizeable-chunk-americans-think-neither-party-fights-people-rcna202884>.

⁹Pew Rsch. Ctr., *Americans' Dismal Views of the Nation's Politics* 45 (Sept. 19, 2023), https://www.pewresearch.org/wp-content/uploads/sites/20/2023/09/PP_2023.09.19_views-of-politics_REPORT.pdf.

¹⁰ABA 2025 Report, *supra* note 2, § III.C.3.

¹¹Hon. Hannah C. Dugan, *Part 3 - From Territory to Statehood: A Tale of Two Constitutions*, 96 Wis. Law. 47, 50 (Sept. 2023).

¹²Theodore Clarke Smith, *The Free Soil Party in Wisconsin* 134 (1895).

¹³Corey M. Brooks, *Liberty Power: Antislavery Third Parties and the Transformation of American Politics* 196 (2016).

¹⁴Robert Booth Fowler, *Wisconsin Votes: An Electoral History* 22 (2008).

¹⁵*Id.*

¹⁶*Id.* at 39.

¹⁷*Id.* at 43.

¹⁸See *id.* at 47. See also James L. Sundquist, *Dynamics of the Party System: Alignment and Realignment of Political Parties in the United States 120-22* (1983).

¹⁹*E.g.*, *Result of the Vote*, Watertown Republican, Nov. 10, 1886, at 3, <https://perma.cc/RL6A-CXAS>.

²⁰See, e.g., *Elections in Wisconsin*, Iowa Cnty. Democrat, Apr. 8, 1887, at 1, <https://perma.cc/4A85-FMAW>.

²¹1897 Wis. Act 348, § 2.

²²Wis. Stat. §§ 8.03(1), 8.15(7).

²³See Working Families Party, *The People's Charter* (released 2020; updated 2021), <https://workingfamilies.org/the-peoples-charter/>.

²⁴See, e.g., N.Y. State Bd. of Elections, *Past Election Results: 2024 Nov. 5 • General • Representative in Congress • Congressional District 19*, <https://results.elections.ny.gov/contest/5617>.

²⁵See Linda Richardson, *Only the Party Is Minor, Not Its Councilwoman*, N.Y. Times (Nov. 19, 2003), <https://www.nytimes.com/2003/11/19/nyregion/public-lives-only-the-party-is-minor-not-its-councilwoman.html>.

²⁶See, e.g., N.Y. State Bd. of Elections, *Past Election Results: 2020 Nov. 3 • General • Supreme Court Justice • 5th Judicial District*, <https://results.elections.ny.gov/contest/4117>.

²⁷See Richard Perez-Pena, *Despite Size, Conservative Party Is a Force to Reckon With*, N.Y. Times (Dec. 13, 1999), <https://www.nytimes.com/1999/12/13/nyregion/despite-size-conservative-party-is-a-force-to-reckon-with.html?pagewanted=all&src=pm>; see also N.Y. State Bd. of Elections, *Past Election Results: 2002 Nov. 5 • General • State Senator • State Senate District 35*, <https://results.elections.ny.gov/contest/524>.

²⁸See N.Y. State Bd. of Elections, *Past Election Results: 1994 Nov. 8 • General • Governor • State of New York*, <https://results.elections.ny.gov/contest/4905>; N.Y. State Bd. of Elections, *Past Election Results: 1994 Nov. 8 • General • Attorney General • State of New York*, <https://results.elections.ny.gov/contest/4907>.

²⁹Independent Party of Connecticut, *Mission and Platform Issues*, <https://ctindependents.org/mission/> (last visited March 11, 2026).

³⁰Green Party of the United States, *Green Party Agrees it is Time to Get Rid of Electoral Fusion*, (March 5, 2019), https://www.gp.org/time_to_get_rid_of_electoral_fusion.

³¹*State ex rel. Runge v. Anderson*, 100 Wis. 523, 76 N.W. 482, 484-87 (1898).

³²See *id.* at 487 (Winslow, J., dissenting).

³³See, e.g., *Todd v. Board of Election Comm'rs*, 104 Mich. 474, 487-88, 64 N.W. 496 (1895); *State ex rel. Bateman v. Bode*, 55 Ohio St. 224, 233, 45 N.E. 195 (1896).

³⁴*Hopper v. Britt*, 96 N.E. 371 (N.Y. 1911).

³⁵*Swamp v. Kennedy*, 950 F.2d 383 (7th Cir. 1991). A petition for en banc rehearing was denied, over a dissent from Judge Ripple, Judge Posner, and Judge Easterbrook. *Id.* at 388-89.

³⁶520 U.S. 351 (1997).

³⁷See, e.g., Richard L. Hasen, *Entrenching the Duopoly: Why the Supreme Court Should Not Allow the States to Protect the Democrats and Republicans from Political Competition*, 1997 S. Ct. Rev. 331; Samuel Isaaccharoff & Richard H. Pildes, *Politics as Markets: Partisan Lockups of the Democratic Process*, 50 Stan. L. Rev. 643 (1998); Nancy L. Rosenblum, *Political Parties as Membership Groups*, 100 Colum. L. Rev. 813 (2000).

³⁸See Anthony Fowler, *Partisan Constituencies and Congressional Polarization*, 5 J. of Pol. Inst. & Pol. Econ. 335 (2024).

³⁹Expert Report of Dr. Lee Drutman: *Partisan Polarization, Two-Party Systems, and Fusion Voting in Wisconsin*, 2 (Oct. 17, 2025), prepared for *United Wisconsin*, No. 2025CV1438.

⁴⁰See Gallup, Inc., *New High of 45% in U.S. Identify as Political Independents* (Jan. 12, 2026), <https://news.gallup.com/poll/700499/new-high-identify-political-independents.aspx>.

⁴¹*Parties, Power, and Possibility*, *supra* note 3, at 2:01:34.

⁴²See *United Wisconsin*, No. 2025CV1438.

⁴³See <https://unitedwisconsin.org/our-platform/>.

⁴⁴Cameryn Oakes, *Moderate Party Launches in Nassau County to Reject Extremism*, PoliticsNY (May 5, 2025), <https://politicsny.com/2025/05/05/moderate-party-launches-in-nassau-county-to-reject-extremism/>; Jodi Latina, *A Political Shake-up Brings Back the 'A Connecticut Party'*, WTNH News 8 (May 14, 2021), <https://www.wtnh.com/news/politics/a-political-shake-up-brings-back-the-a-connecticut-party/>.

⁴⁵*Parties, Power, and Possibility*, *supra* note 3, at 1:39:15.

⁴⁶See Eric Loepp & Benjamin Melusky, *Why Is This Candidate Listed Twice? The Behavioral and Electoral Consequences of Fusion Voting*, Election L.J. 21:105-123 (2022).

⁴⁷For voters casting their vote in person, the tabulator will immediately detect such an overvote and prompt the voter to correct it; this is a required feature of electronic voting systems in Wisconsin. See Wis. Stat. § 5.91(17). For voters who mail in or drop off their absentee ballots and are not present when the ballot is tabulated, there are easy fixes, as demonstrated by election laws in New York and Connecticut, which ensure that such "overvotes" do not disenfranchise the voter. See Conn. Gen. Stat. § 9-242(b); N.Y. Election Law § 9-112(4).

⁴⁸ABA 2025 Report, *supra* note 2, § III.C.3.

⁴⁹*Parties, Power, and Possibility*, *supra* note 3, at 1:46:23.

⁵⁰*Id.* at 4:23:36. **WL**