The Advent of the Secret Ballot in Britain and France, 1789–1914: From Public Assembly to Private Compartment

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Abstract

These days the secret ballot is taken for granted and it is often seen as the natural complement of universal, democratic suffrage. Its emergence, however, was just as contested and varied as the franchise and raised similar issues concerning the nature and practice of citizenship. This article focuses on the emergence of the secret ballot in Britain and France, two countries with a long history of parliamentary and local elections. In Britain, the secret ballot was introduced in 1872, while in France, which introduced universal male suffrage in 1848, it was as late as 1913 before envelope and polling booth rendered the vote completely secure. This study documents the varied polling practices employed in both countries prior to the onset of the secret ballot. It also highlights the contentious nature of polling reform. For some, the secret ballot was regarded as a means of safeguarding electoral independence and eliminating corruption. Others, including radicals, argued quite the opposite: that secret voting was an affront to honourable, public-spirited citizenship. In the end, full secrecy was achieved as part of the broader process of domesticating and disciplining the exercise of a mass franchise.

> The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.[1]

Like much of the technology of elections, the secret ballot is often simply taken for granted. Voting in secret is now considered a 'universal human right' and an integral part of the praxis of democratic societies. There is in fact something like a global consensus that this is the only proper method of securing votes. From France to Argentina and India to South Africa, the secret ballot has been enshrined in constitutions all over the world. Thus, when today's statesmen, with

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[1] Article 21, Section 3, *Universal Declaration of Human Rights* (1948).

no little hubris, talk of 'exporting' democracy and establishing 'free and fair' elections, one image they conjure up is of private compartments, neatly divided and suitably regulated, wherein voters anonymously mark their papers. The impression generated by such rhetoric is of a technology inherently bound up with the evolution of universal suffrage whose democratic credentials should be regarded as equally natural and necessary.

The historical record, however, suggests otherwise and encourages a more critical appraisal. The emergence of the secret ballot in Europe and elsewhere during the long nineteenth century provoked a variety of hotly contested ideas about the nature of citizenship and the practical arrangements through which it was best secured. Not everyone, including a great many radicals, associated secret polling with freedom, progress and electoral independence, nor was there everywhere a decisive transition from a public to a secret system. As with the franchise, the story of the ballot is one of shifting conceptions of political morality, especially as these relate to considerations of technology, literacy and civic discipline, not to mention ideas of publicity and privacy.

Something of the rich, multi-linear history of the ballot can be grasped by comparing the cases of Britain and France, two major states with long traditions of parliamentary and local elections.[2] Given its emergence as a global political technology, a comparative approach to the history of the secret ballot is especially useful. While both Britain and France eventually adopted the secret ballot, thereby paving the way for today, such an outcome was by no means predestined. What strikes the historian is not only the diversity of methods that were considered and enacted but also the diversity of ideals and problems in contention. A comparative approach is fitting for another reason: namely, that during the nineteenth century the question of the ballot was framed in just such a fashion. In both countries, advocates and adversaries of the secret ballot took a keen interest in arrangements elsewhere not least because they were thought to reveal much about national character. If today's polling procedures point towards a universal subject of human rights and an increasingly unified global community, this was far from the case in the nineteenth century.

[2] Although historians have been more concerned with the question of who could vote rather than how they could vote, the secret ballot has not been entirely neglected. Parliamentary aspects of the British secret ballot have been treated by Bruce L. Kinzer, *The Ballot Question in Nineteenth-Century English Politics* (New York, 1982) [hereafter Kinzer, *Ballot Question*]. The secret ballot also features in James Vernon, *Politics and the People: A Study in English Political Culture* c.*1815–1867* (Cambridge, 1993) [hereafter Vernon, *Politics and the People*], pp. 157–8. For France, see Alain Garrigou, *Le vote et la vertu. Comment les Français sont devenus électeurs* (Paris, 1992), *Histoire sociale du suffrage universel en France 1848–2000* (rev. edn., Paris, 2002) and idem, 'Le secret de l'isoloir', *Actes de la Recherche en Sciences Sociales*, lxxi–lxxii (1988) [hereafter Garrigou, 'Le secret de l'isoloir'], 22–45.

I

Of the two countries, it is British parliamentary elections prior to the introduction of the secret ballot in 1872 which represent the most complete example of public polling. While the franchise in Britain remained severely limited, even after 1832, these were nonetheless truly communal events, involving electors and non-electors alike. The dissolution of parliament did not necessarily entail a local contest, but when a contest was staged polling would often last for fifteen days, sometimes more. Unlike today, elections were notorious for their popular exuberance, not to mention violence and drunkenness. Yet, as Frank O'Gorman in particular has so brilliantly documented, they were not without a definite sense of ritual.[3]

The focal point was the hustings, the platform where the nomination, daily speeches, and finally the declaration would be made. With few exceptions, hustings were always located in places of civic importance, commonly in front of or in the town hall, but sometimes in a church or market-place. Polling booths were situated in the immediate vicinity of the hustings, if not on the hustings in some of the smaller boroughs. Normally, a booth formed an enclosed wooden structure, inside of which was housed a table and a set of chairs along with a posse of electoral personnel, including representatives of the returning officer, a polling clerk and party agents. It was here that the clerk recorded the name, occupation, address and votes of each elector in a poll book. In this way, the act of registering a vote might well have been a 'tolerably private affair'.[4] But taken as a whole polling was very much a public act – indeed, a public performance of considerable symbolic freight. In a society where the vote was traditionally regarded as a 'trust' wielded on behalf of non-electors, voting in public was considered a communal obligation: a very direct means whereby those with the requisite freedom and independence could be held to account by those without.[5] 'The poll cannot be too publicly taken', affirmed Maldon's returning officer before a Select Committee in 1826, adding that he had done everything he could to give the poll 'as much publicity as possible'.[6]

The publicity of the vote manifested itself in various ways. First, a voter might be called upon to prove his electoral and patriotic credentials. Electoral officials and agents were free to demand a series of oaths relating to bribery, the veracity of an elector's qualification, and his

[3] Frank O'Gorman, *Voters, Patrons and Parties: The Unreformed Electorate of Hanoverian England, 1734–1832* (Oxford, 1989) [hereafter O'Gorman, *Voters, Patrons, and Parties*]. See also his 'Campaign Rituals and Ceremonies: The Social Meaning of Elections in England, 1780–1860', *Past and Present*, cxxxv (1992), 72–115.

[4] *Voters, Patrons and Parties*, p. 132.

[5] An excellent discussion of electoral 'independence', including its public performance, can be found in Matthew McCormack, *The Independent Man: Citizenship and Gender Politics in Georgian England* (Manchester, 2005), pp. 44–52.

[6] 'Report from the Select Committee on Election Polls for Cities and Boroughs', *Parliamentary Papers* [hereafter *P.P.*], iv (1826–7), 17–18.

allegiance to the monarch and the Anglican Church. Such oaths meant that polling involved an explicit affirmation of the country's political order.[7] Secondly, there was the procession to the poll. Amidst much pomp and excitement, the voters of each party, normally grouped together in 'tallies' of between ten and twenty, would in turn make their way to the booths. On occasions, tallies might be more numerous, as in the Westminster election of 1819, where on the opening day of the poll a tally of fifty, 'preceded by a band and banners with patriotic inscriptions', voted for the radical candidate.[8] At this point, voters, often sporting ribbons, might be applauded, heckled, blocked and even beaten up by hired thugs; effigies could also be tossed their way. Glued to the unfolding scene, the crowd might react with similar gusto to the casting of a vote. 'Every time one of them gave his vote,' noted a 'sketch' of Boston's 1830 election, 'the church echoed with the shouts of the spectators.'[9]

In France, by contrast, elections were less public. They were always held indoors and a significant element of secrecy was introduced during the Revolution of 1789. There were no modern parliamentary elections prior to that date but, according to tradition, voting was usually conducted orally in local assemblies in those places where electoral practice had survived. Elections to a resurrected Estates-General, which opened the revolutionary decade in 1789, had been organized in precisely this manner, at least at earlier stages of the procedure before the final, *bailliage* assembly was reached and a written ballot was required.[10] The new regime subsequently retained many practices from the old, including voting in assemblies and the taking of electoral oaths, commonly a bribery oath and an oath affirming allegiance to the constitution. The key revolutionary innovation was the universal employment of a written ballot, which was prepared by the voter in the assembly, using slips of paper distributed by officials, and then placed in a box or 'urne'.[11] Ballots compiled outside the assembly were automatically disqualified.

Those unable to write (though poorer and less literate Frenchmen were less likely to vote) could request one of the scrutineers or a fellow-voter to inscribe a choice for them. In their case, though scrutineers swore to uphold the information they were given, secrecy was inevitably compromised, but there was no obligation on other voters to keep their choice to themselves. The fact that this 'secret ballot' was composed in the midst of an electoral assembly led in 1795 to one of the first proposals for a type of polling compartment: 'Each citizen will go into a private

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[7] The number and type of oaths administered varied greatly according to elector, election and local custom. See the various practices described in 'Report from the Select Committee on Election Polls for Cities and Boroughs', *P.P.* iv (1826–7).

[8] Committee Appointed to Manage the Election of Mr. Hobhouse, *An Authentic Narrative of the Events of the Westminster Election* (1819), p. 102.

[9] *A Sketch of the Boston Election, 1830* (Boston, 1830), p. xxiv.

[10] Malcolm Crook, *Elections in the French Revolution: An Apprenticeship in Democracy, 1789–1799* (Cambridge, 1996) [hereafter Crook, *Elections in the French Revolution*], p. 19.

[11] Ibid., pp. 52–3.

room divided into several booths, where he can write without being seen . . . He will fold his paper, stamp it with the national seal, and deposit his ballot in a closed box.'[12] The suggestion was not taken up, but the Constitution of 1795, article 31, did state unambiguously, if without elaboration, that 'all elections will be conducted by secret ballot'.[13] Voting by any other means was explicitly condemned.

What has been called 'the secret vote cast in public' endured from the Revolution onwards, from Napoleon's electoral colleges to the limited franchise of the Restoration and July Monarchy, and on into the Republican era.[14] As in Britain, polling was conducted in places of civic significance. Up to 1848, churches were commonly used; thereafter, voting generally took place inside the town or village hall or, where they were lacking, the mayor's house. After 1806 formal electoral rolls were compiled before elections and administrative manipulation of their composition was gradually curbed, thanks to careful scrutiny of the lists and a campaign to overhaul the registration process that came to fruition in 1827.[15] Compared to Britain, French elections were more orderly: access to the electoral assemblies was restricted by the use of voters' cards (printed *cartes d'électeur*) and, while electors might be harangued both inside and outside, there was less of the rugged, ritualized drama that characterized British parliamentary elections.[16] Indeed, after the Revolutionary period, incidents of rioting and serious violence were relatively few and far between, even following the advent of universal male suffrage in 1848.

Nonetheless, in France secrecy was greatly compromised and in large part determined by nuances of electoral law. Regulations issued in 1820 laid down a more precise polling procedure, including the stipulation that 'each voter, having received a blank paper from the presiding officer, will write down his choice in secret on the table', before returning it, folded, to the president to drop in the *urne*. Illiterate voters could in future seek assistance from a colleague to complete their papers rather than referring to assembly officials.[17] However, since the table was in full view of the presiding officer, secrecy was easily violated. This significant defect was noted by Alexis de Tocqueville when he appeared before a House of Commons Select Committee in Britain in 1835: 'The great disadvantage to which the elector was exposed under the law of 1820, was the obligation of writing the name of the candidate on the table, and in the presence of the president, who was an agent of the central government (nominated by the crown).' In some places it seems that

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[12] Jacques Vincent Delacroix, *Le Spectateur français pendant le gouvernement révolutionnaire* (Paris, an IV), pp. 236–7.

[13] *Les constitutions de la France depuis 1789*, ed. Jacques Godechot (Paris, 1970), p. 106.

[14] Philippe Tanchoux, *Les procédures électorales en France de la fin de l'Ancien Régime à la Première Guerre mondiale* (Paris, 2003) [hereafter Tanchoux, *Les procédures électorales*], p. 187.

[15] Sherman Kent, *The Election of 1827 in France* (Cambridge, Mass., 1975), p. 59ff.

[16] Malcolm Crook, 'Suffrage et citoyenneté sous la Restauration 1814–1830', in *Suffrage, citoyenneté et révolutions 1789–1848*, ed. Michel Pertué (Paris, 2002), pp. 75–88.

[17] *Bulletin des Lois*, 29 June 1820.

screens, or hats, were used to shield the voter from his inquisitive gaze, but such measures were never part of official legislation and were always at the discretion of the presiding officer.[18]

In 1830, following the fall of the Bourbon Monarchy, an amendment was added which served to enhance the secrecy under which the ballot paper was written: 'a separate table will be provided for this operation', at a distance from the president (now elected by members of the assembly).[19] Yet while voters were better protected from any official pressure, there was no injunction against them revealing their papers to other electors and many continued to do so in these intimate surroundings. To this extent, secrecy was optional. Of course, as Tocqueville recognized, most of the 166,000 or so parliamentary electors who voted under this system in the 1830s (a total which had increased to roughly 250,000 a decade later) were endowed with sufficient education, wealth and independence to maintain secrecy if they wished to do so. Indeed, mastery of the written word and thus the ability to vote in secret was part and parcel of their 'capacité'.

After the advent of the Second Republic in 1848 came another change in electoral law, which exposed the now universal male electorate to a new means of influence. To cope with the nine million or so voters, it was decided that ballot papers should be completed outside the polling station and could also be printed in advance.[20] Since ballots were to be cast at the cantonal level, many villagers had to travel some distance to vote: they did so together and, crucially, often accepted the ballot papers they were given by a priest or mayor, frequently ignorant of the names they bore. Tocqueville has provided an indelible image of the accompanying electoral culture, practised in his home village, in the department of the Manche:

> We had to go in a body to vote at the town of Saint-Pierre, a league away . . . On the morning of election day (23 April 1848) all the electors, that is to say the whole male population over 20 years old, assembled in front of the church. They formed themselves into a double column . . . (later) all the votes were given at the same time, and I have reason to believe that almost all were for the same list of candidates.[21]

A broad distinction can thus be made between the open publicity of British polling and the semi-secrecy of French polling. The actual situation, however, was vastly more complex. For a start, various measures were introduced in Britain which made parliamentary polling more like the French system. In 1832, with the passing of the Great Reform Act, Britain followed France and introduced the formal registration of voters;

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[18] 'Report from the Select Committee on Bribery at Elections' [hereafter 'Report on Bribery at Elections'], *P.P.* viii (1835), 230–2. This was Tocqueville's second visit to Britain and occurred very shortly after the publication of his *Democracy in America*, which established his international reputation. See Seymour Drescher, *Tocqueville and England* (Cambridge, Mass., 1964), pp. 54–5.

[19] *Bulletin des Lois*, 19 April 1831.

[20] Raymond Huard, *Le suffrage universel en France 1848–1946* (Paris, 1991), pp. 301–2.

[21] *Alexis de Tocqueville: Recollections*, ed. J. P. Mayer (New York, 1971), pp. 119–21.

subsequently any wrangling over an elector's qualifications had to take place before an election. The duration of elections was also reduced. In France, elections had usually been shorter than in Britain – at most a week during the Revolution – and they were eventually reduced to two days under the Second Empire. In Britain the 1832 Reform Act reduced polling to two days; then, in 1836 and 1853 respectively, borough and county polls were limited to one day.[22] Two other features of the 1832 Act should be noted. First, the Act reduced the number of oaths that might be administered to two (bribery and identity). Secondly, it stipulated the greater provision of polling places and booths. Counties were to be divided into polling districts so that no voter would have to travel more than fifteen miles, while in boroughs each booth was to serve a maximum of 600 electors.[23]

Further complexity is uncovered when examining the polling methods used at British local elections, where there was great experimentation. One entirely overlooked but remarkable point of convergence can be found in the mode of polling introduced by John Hobhouse's Vestries Act of 1831, a method later incorporated into the electoral arrangements of the Metropolitan Board of Works.[24] As in the post-1848 French system, voters (all ratepayers) used lists prepared by either themselves, the authorities, or, more commonly, the parties contesting the election, which were to be folded and deposited in ballot boxes. The secrecy afforded was similarly compromised. Voters and agents were able to gather in the immediate vicinity of the ballot box and there was no injunction against displaying papers. 'I voted openly, having no wish to conceal my vote', declared one elector before a Parliamentary Select Committee in 1835, 'but I had the power of secrecy.'[25]

Other polling innovations included those introduced as part of the reform of the Poor Law.[26] After 1834, Boards of Guardians were elected using lists delivered direct to the homes of ratepayers. These lists, duly

[22] The reduction of polling days in 1832 was in fact closely preceded by a measure passed in 1828, which restricted borough contests to eight days. W. B. Gwyn, *Democracy and the Cost of Politics in Britain* (1962), pp. 47–8.

[23] Subsequent legislation enforced a ratio of one booth to 450 electors in counties and one to 500 in boroughs.

[24] John Hobhouse served as MP for Westminster between 1820 and 1833, where he stood on a radical platform. He later served in the Whig ministries of the 1830s and 1840s as Secretary at War and President of the Board of Control, among other offices. The 1831 Act provided for the yearly, rotating election of 40 vestrymen out of a total of 120. Until 1855, the Act was adoptive, and by 1842 only nine metropolitan parishes had opted in. Even so, among the nine were some of London's largest parishes and the elections often attracted considerable numbers. The parish of Marylebone polled some 3,500 votes in the years 1832 and 1833. Excellent insight into the workings of the Hobhouse poll can be found in 'Report on Bribery at Elections', *P.P.* viii (1835), 418–27, 435–40, 496–500. Elections conducted after 1855, however, do not appear to have been so vigorously contested as those in the 1830s. See David Owen, *The Metropolitan Boards of Works, 1855–1889: The Metropolitan Board of Works, the Vestries and the City Corporation* (1982), ch. 10.

[25] 'Report on Bribery at Elections', *P.P.* viii (1835), 424.

[26] Early testimony on the conduct of these elections can be found in ibid., 427–31. A brief discussion of the new Poor Law method of voting can be found in Vernon, *Politics and the People*, pp. 155–7. From 1848, it was also used to elect local Boards of Health.

marked and signed by the electors, were then collected by paid agents two days later and scrutinized back at the workhouse. Although not secret, Poor Law polling was a private, indeed domestic, affair and required a modest level of literacy. The system comprised two other novel features: voting by proxy and written nominations. A similar method of polling was used for the election of municipal corporations following their reform in 1835, with the exception that voters delivered their papers to a polling station.

Public polling was not, in fact, completely absent in France. There were two periods when open voting was practised. One occurred under the Napoleonic regime at the turn of the nineteenth century: the plebiscites of 1800, 1802, 1804 and 1815 all required voters to write their name or have it written for them in a public register indicating acceptance or rejection of a given constitutional proposition. This method of open voting does not seem to have produced any significant protest, but it was extremely susceptible to abuse and generally favourable results were frequently inflated.[27] Another altogether more volatile period of open voting had occurred during the radical phase of the Revolution. Following the demise of the Constitution of 1791, many voters exploited the fluidity surrounding elections to the National Convention in 1792 to vote as they saw fit. Like some of their British counterparts – and British practices were occasionally cited in support – they declared that voting out loud (*à haute voix*) was an open procedure, worthy of free citizens.[28] For citizens in the Droits de l'Homme section of Paris, in 1793, it was 'the most appropriate method of voting for dedicated republicans'.[29]

Oral voting also helped expedite the extremely protracted electoral process by avoiding the writing and counting of papers, for there could be up to three ballots for each post to be filled. The vote on the Constitution of 1793 maintained this voting liberty and it was repeated again in the constitutional referendum of 1795.[30] Many and varied practices emerged, including the raising of hands, standing up, and doffing one's hat, but oral voting was especially widespread. In Paris it was taken for granted and at least 100 assemblies outside the capital proceeded in this fashion. Crucially, during this period, the general public was often admitted to the assembly, where cheering and jeering, even fighting, occurred. Thus, before the 1795 Constitution reverted to the written ballot, and forbade alternatives, French polling was accompanied by something like the carnivalesque atmosphere of British parliamentary elections. Such practices undoubtedly gave alternatives to the secret ballot a bad name.

[27] Malcolm Crook, 'Confiance d'en bas, manipulation d'en haut: la pratique plébiscitaire au temps de Napoléon', in *L'incident électoral de la Révolution française à la Ve République*, ed. P. Bourdin et al. (Clermont-Ferrand, 2002), pp. 77–87.

[28] Alison Patrick, *The Men of the First Republic. Political Alignments in the National Convention of 1792* (Baltimore, 1972), pp. 162–5.

[29] Paris, Archives Nationales (AN), BII 23, Procès-verbal de la section des Droits-de-l'Homme, 3 July 1793.

[30] Crook, *Elections in the French Revolution*, pp. 110 and 125.

II

In both Britain and France, polling reform was greatly contested, but the range and tenor of debate differed nonetheless. In Britain, the secret ballot emerged as a credible alternative to public polling in the 1830s, some sixty years after it had first been mooted by radicals. The year 1830 saw the first of many parliamentary debates on the subject, and it was even considered for inclusion in the Great Reform Act. Those against were commonly, though not exclusively, Tories and elder Whigs. In part, the anti-ballot argument hinged on the simple premise that secrecy would fail to prevent corruption. Bribery, though attended by greater risk, would still continue, just as gamblers were not put off by higher odds, contended the earl of Shaftesbury in 1872.[31] Some suggested that bribery was in decline, while others took a rather benign view of the corruption that existed. Robert Peel, for one, sought to defend the 'influence' exercised by landlords: 'the influence they (landlords) exercise is not so much the influence of intimidation as the natural and legitimate influence which is almost inseparable from the relation of landlord and tenant.'[32]

Such points generally served as embellishments of more fundamental objections. One key objection was based around a political ideal derived from the classical world: namely, that citizenship, if it were to be enacted in an independent, honourable and manly fashion, required publicity. Even William Gladstone, who as prime minister between 1868 and 1874 gave the secret ballot his blessing, agreed that 'open voting enabled the discharge of a noble duty in a noble fashion.'[33] Accordingly, secrecy was characterized in terms which, for centuries, aristocrats had used to distinguish those beneath them: that it was 'base', 'mean-spirited' and 'deceitful'. Ultimately, it bore the stigma of the slave. 'Disguise is at once the product and the badge of slavery', noted one pamphlet; the secret ballot was nothing less than 'a public acknowledgement of fear and dependence'.[34]

A popular edge was added to such appeals with the claim that the secret ballot was 'un-English'. Like the freemen of ancient city-states, but decidedly unlike the squeamish French, freeborn Englishmen relished divulging their opinions in an open fashion. A cluster of rhetorical associations emerged which mingled publicity and Englishness, openness and manliness. 'The liberty cherished by Englishmen must be of vigorous growth, and no sickly exotic creeping into corners unable to bear the light', stated one anti-ballot article published in 1869.[35] Significantly,

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[31] *Speech of the Earl of Shaftesbury on the Second Reading of the Ballot Bill in the House of Lords, June 10th, 1872* (1872), p. 8.
[32] *The Speech of the Right Honourable Sir Robert Peel, Bart., in the House of Commons, Upon Mr. Grote's Motion for the Ballot* (1838), p. 9.
[33] Quoted in John T. Ball, MP, *Ballot Considered in Connection with the Extension of the Franchise* (1872), p. 9.
[34] *The Ballot: Five Letters by Vigil* (1871), p. 8.
[35] 'Liberty and Light', *The Westminster Review*, xxxv (1869), 388.

many working-class radicals were drawn to such an argument: the secret ballot formed one of the original six Chartist demands, but by 1848 it had been dropped on these grounds.[36]

The classical objection was often allied with the suggestion that it nurtured a selfish disregard for the public good: that the vote was a 'public trust' and as such was a privilege that should be discharged in full view of those whose interests were at stake. Animated by a still prevalent Burkean sensibility, many refused to consider the vote a 'right' that could somehow be abstracted from the complex society in which it had evolved. 'The vote is a thing *relative* not a thing *absolute*,' noted one pamphlet, 'for it grows out of the *connection* of interests that subsists with the whole people.'[37] This line of attack was most commonly deployed by Tories and Whigs, yet it was not without its radical adherents. J. S. Mill is one example. Mill's critique of the secret ballot was distinctive, but he was at one with his adversaries with respect to the selfishness it engendered: 'Instead of opening his heart to patriotism and the obligation of public duty, it awakens and nourishes in him the disposition to use a public function for his own interest, pleasure or caprice.'[38]

That Mill should so vociferously defend open voting brings into sharp relief the ethical difficulties posed by the secret ballot. Since the 1820s, a growing 'liberal' sentiment had gauged the morality of state institutions in terms of their public accountability. As opponents of the ballot pointed out, MPs in parliament voted in public and were increasingly subject to the scrutiny of the press.[39] Of course, the charge of political immorality could be levelled with equal vigour against the public poll. Open voting, after all, allowed for a variety of practices which rendered elections 'impure' – principally bribery, treating and intimidation – and it was the promise of 'electoral purity' that formed the main plank of the pro-ballot case. It was often argued that open polling corrupted the independence of the voter, who might be intimidated into voting against his wishes. 'He is drawn to the polling booth like a sheep to the slaughter and then compelled to commit political suicide', dramatized one radical

[36] On Chartist attitudes to the ballot see Kinzer, *Ballot Question*, pp. 47–50.
[37] William Atkinson, *The Franchise and Voting by Ballot Considered and Explained* (1858), p. 60. Italics in original.
[38] *John Stuart Mill: On Liberty and Other Essays*, ed. John Gray (Oxford, 1991), p. 354. Mill was particularly concerned that without publicity voters would go unchallenged and so fail to develop that robustness of mind at the heart of his conception of citizenship. For a reading of Mill which correctly stresses the strong ethical dimensions of his liberalism, see H. S. Jones, 'John Stuart Mill as Moralist', *Journal of the History of Ideas*, liii (1992), 286–308.
[39] An anti-ballot speech given in the Commons by Lord John Russell in 1872 is a good example: 'I must, in addition, point out that our whole progress for the last century and a half has been in favour of publicity . . . The debates in Parliament are reported day by day, under the real names of speakers, and are openly discussed the next morning in the journals throughout the kingdom.' Quoted in H. J. Hanham, *The Nineteenth-Century Constitution, 1815–1914: Documents and Commentary* (Cambridge, 1969), pp. 276–7. On the emergence of a 'liberal' sentiment which equated political morality with accountability to public opinion see Jonathan Parry, *The Rise and Fall of Liberal Government in Victorian Britain* (New Haven, 1996), ch. 1.

pamphlet published in 1866.[40] In this respect, it was spurious to suggest that the secret ballot was somehow 'un-English': it was a means of safeguarding, not perverting, national sensibilities.

The prominent radical and secularist George Holyoake was particularly combative. In a pamphlet published in 1868 he argued: 'Instead of apologising for desiring the Ballot, we should apologise for being without it, it being a mark of manliness to demand it, and of independence to possess it.'[41] In the course of the pamphlet, Holyoake developed two points which reveal an entirely different conception of citizenship and secrecy from that espoused by the anti-ballot lobby. First, he distinguished between 'infamous secrecy' and 'honourable secrecy'. As an example of the former, he instanced concealing the truth in court; and of the latter, protecting the home, family and business from meddlesome interference. Honourable secrecy was a question of 'personal privacy in what concerns me primarily and me alone', and it was precisely this legitimate sphere of 'personal interest' that, in the political realm, the secret ballot secured. Secondly, he regarded public voting as a form of surveillance by which the voter was 'duly reported to the political police – his landlord, his employer, his customer, or his priest'. He thus spoke not of the edification of publicity but of its 'degradation'.[42]

Not all defenders of the secret ballot were so vociferous in their assertion of personal interest. Some were quite happy to regard the vote as a public trust, but dismissed the idea that secret voting had any bearing on the elector's capacity to take this into account. One defence made the simple point that the voter had the whole of a campaign to weigh up considerations of public interest, and that in any case the voter confronted not the public at the poll but 'the mob'. Given the distractions and dangers of a public poll, it was perhaps the secret ballot which afforded the best conditions for reflecting on the public good: 'Put the voter in a closet and he may see what the philosopher sees.'[43]

In France, polling reform elicited less theoretical reflection than in Britain. Conceptions of citizenship were still at stake, but debate was not as polarized since the principle of secrecy was long-established, as well as voting with ballot papers. Nonetheless, open voting did have its adherents and, under the Restoration, there was residual opposition to the law of 1820 on the grounds that the secret vote was 'political hypocrisy' and represented 'an encouragement to falsehood'.[44] Some reference was also made to the dignity involved in a public vote. When Louis-Napoleon overturned the Second Republic in 1851 and, like his uncle, set about creating an authoritarian regime, he too proposed an open plebiscite.

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[40] Thomas Treglown, *Extend the Franchise, Vote by Ballot and Union with France* (Manchester, 1866), p. 40.
[41] George Jacob Holyoake, *A New Defence of the Ballot, in Consequence of Mr. Mill's Objections to It* (1868), p. 3.
[42] Ibid., pp. 3–6.
[43] *The Ballot: Speech of E. A. Leatham in the House of Commons, 16th March, 1869* (1869), pp. 22–3.
[44] Tanchoux, *Les procédures électorales*, p. 313.

The decree of 4 December, recreating his predecessor's registers for this purpose, was greeted with a hail of criticism and threats of abstention, so that the written ballot was immediately restored. Yet one dissenting opinion suggested that the original proposal was 'inspired by a great and noble idea, an act of homage to the character of the French nation . . . It would have been more honourable for the French people had a public vote been universally endorsed.'[45] Under the Third Republic some deputies continued to advocate open voting as the 'right of free men', while others were decidedly ambivalent. As late as 1901, the Radical parliamentary deputy Julien Simyan noted that 'the public vote was preferable, but only in a context where all voters were endowed with the independence provided by wealth'; and in the context of universal male suffrage, protection was clearly required.[46]

Echoes of the British debate could also be found among those who simply regarded change as unnecessary. 'No fresh measures are required', proclaimed the deputy Charles Ferry in 1901, 'for you have an admirable system which . . . has firmly established the Republic . . . Why change it?'[47] He went on to suggest that critics of the current system were casting a slur on the thousands of mayors who presided over the polling stations and stood accused of tampering with the papers before they put them into the *urne*. Those who regarded a completely secret ballot as a pointless, and indeed dangerous, innovation were also anxious to preserve existing relations of patron–client influence. In Corsica, where clans continued to dominate the electoral process, it was standard practice for voters openly to display their ballot papers as they entered the polling station, voting 'à la porte'.[48] Likewise in the Morbihan, where in 1881 one voter refused to vote at all after the president had refused to accept his unfolded *bulletin*.[49] Consistent opponents of remedial legislation were overwhelmingly drawn from rural constituencies where, as in Britain, pressure was exerted through treating and bribery.[50] Greater secrecy would also curtail the surveillance of small rural electorates. In the many 'dwarf' *communes* with less than 100 voters it was relatively easy to identify who was voting for whom, especially since counting was conducted at the communal polling stations, rather than at constituency level.

Unlike their counterparts in Britain, French opponents of reform focused more sharply on undermining the practical credibility of proposed reforms, not least the costs incurred in providing envelopes and booths which later became known as *isoloirs*. It was forcefully argued that their employment would complicate the voting process, perplexing rural dwellers in particular. Ferry spoke of peasants, with 'their bloated fingers

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[45] *Moniteur*, 6 and 7 Dec. 1851.
[46] *Journal Officiel* [hereafter *JO*], 17 Dec. 1901.
[47] Ibid., 16 Dec. 1901.
[48] Alexandre Pilenco, *Les moeurs du suffrage universel en France (1848–1928)* (Paris, 1930), pp. 259–60.
[49] AN, C 4037, Procès-verbal de Muzillac, 21 Aug. 1881.
[50] Garrigou, 'Le secret de l'isoloir', 32.

calloused by work in the fields', struggling 'to slide into an envelope, in an ill-lit spot, a ballot that requires folding four times'.[51] Concerns were also expressed that the 'cabins' would be occupied for too long, causing frustration on the part of those obliged to wait. 'What if an inebriated voter – it often happens – spends thirty minutes in the cabin?', asked one deputy.[52] Despite consistently high turnouts (certainly by today's standards) there were fears that would-be voters might be deterred by a novel, complex and time-consuming system.

The potentially unwholesome experience of voting under strict secrecy was also mooted by opponents, particularly in 1889 when the Chamber of Deputies first debated a proposal for *isoloirs*. A feeling of claustrophobia was evoked by one or two speakers who described the voter as being 'isolated or shut up in a small hut'. Indeed, the word 'cabanon' could mean cell, thus reducing the voter to the status of a deranged or sick person.[53] For anticlericals the booth represented a sort of 'secular and obligatory confessional'. Others could not resist an allusion to the 'cabinet', or toilet, prompting 'memories of Vespasian', who had introduced the urinal to classical Rome.[54] Finally, Gustave Quilbeuf speculated about the need for separate male and female booths should women ever be enfranchised for, if the two sexes were by chance to meet in the *isoloir*, 'who knows what might happen'.[55]

Despite such scaremongering, and not a little hilarity, there was a growing consensus, in the Chamber of Deputies if not the Senate, that the existing procedure was failing to offer voters sufficient safeguards for an independent choice. As the deputy Simyan put it during the course of debate in 1889: 'We are far from the secret vote in practice.'[56] Under the prevailing system, in force since 1848, a great deal of effort was expended to ensure that the voter took a particular candidate's ballot to the polling station. On election day agents would thus be waiting in the vicinity to distribute papers having, if necessary, taken away the one a voter was already bearing. Voters were then accompanied to the *mairie*, and often to the ballot-box itself, to ensure they were not intercepted by a rival agent, a practice the reformer Antanin Lefèvre-Pontalis denounced as 'a veritable form of electoral recruitment (*embrigadement*)'.[57] Indeed, according to one parliamentary deputy, who contributed to a fruitless effort at electoral reform in 1901, individuals were sometimes ordered to wear trousers without any pockets to prevent them concealing, then

[51] *JO*, 16 Dec. 1901.
[52] Ibid., 17 Dec. 1901.
[53] Ibid., 25 Feb. 1889.
[54] Georges Pioch, *15000! La foire électorale* (Paris, 1914), p. 207.
[55] *JO*, 23 Dec. 1901.
[56] Ibid., 25 Feb. 1889.
[57] Antonin Lefèvre-Pontalis, *Les élections en Europe à la fin du XIXe siècle* (Paris, 1902) [hereafter Lefèvre-Pontalis, *Les élections en Europe*], p. vii. For one example among many of voters being accompanied into the polling station see AN C 6669, Procès-verbal de Port-Louis, Morbihan, 24 April 1910.

using, a different ballot paper.[58] Besides running the gauntlet in this fashion, the voter might discover ballot slips awaiting collection at the polling station as he presented his credentials and was marked off on the register. One defeated candidate in the department of the Hérault protested that packets of papers bearing the name of his opponent had been placed on the table next to the *urne*.[59]

In these instances there was no secrecy for the voter, but even the folded paper was susceptible to identification. Since there was no official ballot paper, candidates (at no little expense to themselves), or voters, were left to construct their own. The colour stipulated was white, but there was no regulation regarding size or weight. As another deputy suggested, 'the grain or shade of paper might give the game away', not to mention the fact that some paper was virtually transparent so the lettering on it could be easily deciphered.[60] In the Haute-Garonne in 1869 efforts by opponents to produce an exactly similar paper, and thus protect their supporters, led the other candidate to print fresh *bulletins* on the very eve of the poll.[61] The presiding officer, usually a mayor in the case of villages, but always a local official, was also able to discern a voter's intentions since he was the person who inserted the paper into the ballot box. This gave him the opportunity to determine weight or texture, not to mention an excuse to examine the ballot more closely on the pretext that the voter had folded two papers together. A typical example is furnished by the mayor of Ménessaire, in the Beaune constituency of the Côte-d'Or in 1906, who responded to complaints that he was opening papers by claiming that he was simply checking to make sure they were in order.[62] Joseph Ruau, a Radical deputy and a leading proponent of reform in 1901, cited a mayor in the department of the Gard who apparently sent accurate results of elections to Paris long before the polls had officially closed and the count had been conducted.[63]

The first proposal to amend what many liberals regarded as an unsatisfactory situation came in 1865 under the Second Empire. Opposition deputy François Malézieux suggested the use of an envelope to protect the voter's ballot from the inquisitive gaze of presiding officials and other electors who loitered in the *salle de vote*, but the proposal made no headway. When it was later revived under the Third Republic, it was rapidly linked to the idea of the polling booth (by then introduced in Australia, Britain and Belgium) because if envelopes were distributed in the same way as papers, then the same pressure on voters could be

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[58] *JO*, 16 Dec. 1901.

[59] Pierre Leroy-Beaulieu, *Un chapitre des moeurs électorales en France dans les années 1889 et 1890* (Paris, 1890), p. 25.

[60] *JO*, 16 Dec. 1901.

[61] Cited in Patrick Lagoueyte, 'Candidatures officielles et pratique électorales sous le Second Empire (1852–1870)' (Thèse de Doctorat, 5 vols., Université de Paris I, 1990) [hereafter Lagoueyte, 'Candidatures officielles'], iii. 872–3.

[62] AN, C 6308, Procès-verbal de Ménessaire, 6 May 1906.

[63] *JO*, 17 Dec. 1901.

applied as before.[64] In 1880, Senator Louis Buffet declared that he would only accept one in tandem with the other, though this combination of measures necessitated a more complex reform bill, which would offer conservative opponents like Buffet additional scope for criticism and procrastination. It was also proposed that, as in neighbouring countries such as Britain and Belgium, which were actively investigated and held up as models of good practice by reformers, voters should employ a uniform official ballot paper, which they would mark according to their choice.[65] Yet this procedure was never to find general favour, mainly because composing one's own paper was regarded as part of the voter's sovereignty and also because any form of government involvement in elections was greatly mistrusted in France. While the practice of administrative support for certain candidates by no means ended after 1870, official candidatures were regarded as a notorious feature of the Second Empire, when the regime had overtly patronized its favoured choice of deputies.[66]

Some reformers sought to make capital out of Britain and Belgium's relative advance. According to Ruau it was a matter of shame that France was 'the sole country' in Europe not doing more 'to safeguard electoral secrecy'.[67] Yet, for the most part, debate in the Chamber of Deputies was characterized by less urgency than in Britain, perhaps because French elections with universal male suffrage were conducted with relatively little disorder at the polling station (though campaign meetings might be more turbulent). In Britain, by contrast, this dimension – what was often termed the 'tranquillity' of elections – was very much to the fore, certainly by the 1860s, when the size of the electorate almost doubled as a result of the Second Reform Act. Pro-reform pamphlets were largely reticent on the subject, but not so the Select Committee convened in 1869 to inquire into parliamentary and municipal electioneering. The key event prompting the formation of the Select Committee was the election of the previous year, which, over the course of an unusually long campaign, had attracted unprecedented levels of spending and violence.[68] Various witnesses were invited to speak of the rioting, drinking and even kidnapping that had occurred in their constituencies. Almost all were of the opinion that the secret ballot would civilize elections

[64] Tanchoux, *Les procédures électorales*, p. 454, notes that envelopes were used in elections to miners' safety committees after 1890, but their simultaneous distribution with ballot papers had done nothing to reduce pressure on voters.

[65] Lefèvre-Pontalis, *Les élections en Europe*, pp. 64 ff., and Charles Benoist, *Pour la réforme électorale* (Paris, 1908).

[66] Lagoueyte, 'Candidatures officielles', passim and C. Voilliot, *La candidature officielle. Une pratique d'Etat de la Restauration à la Troisième République* (Paris, 2005).

[67] *JO*, 17 Dec. 1901.

[68] Cornelius O'Leary, *The Elimination of Corrupt Practices in British Elections, 1868–1911* (Oxford, 1962), pp. 58–9; Justin Wasserman and Edwin Jaggard, 'Electoral Violence in Mid Nineteenth-Century England and Wales', *Historical Research*, lxxx (2007) [hereafter Wasserman and Jaggard, 'Electoral Violence'], 131, 143–5.

(though support was not always emphatic and at least two commentators regarded it as a 'necessary evil').[69]

Amongst other measures, the Select Committee reported in favour of the adoption of secret voting. The Committee refrained from specifying the precise method to be used, but it received detailed testimony on various systems from around the world – France, America, Greece, Italy and Australia – and a couple from home, including the Poor Law method. With the exception of the semi-secret French and American ballots, all witnesses recommended the particular systems they described. The Greek system was the most elaborate. Introduced in the 1830s, there was one ballot box for each candidate; attached to each box was a funnel, into which the voter placed his arm before dropping a 'bullet' into one of two holes, designated 'Yes' and 'No'.[70] The untested 'voting machine' advocated by the radical MP Charles Dilke was the most ambitious. The contraption counted balls as they were dropped into small apertures representing each candidate; it also contained components for the 'self-registration' of voters.[71]

However, it was the arrangements in place in Australia, and in particular the states of Victoria and South Australia, which attracted the most attention. Both states had adopted secret voting in 1856, the same year they introduced universal manhood suffrage. The polling methods, which in detail differed slightly, shared three key features: first, the use of private compartments; secondly, ballot papers printed and stamped solely by the authorities; and thirdly, regulations which prohibited any voter from signing or displaying his paper. Pressed by the Select Committee on the issues of purity and tranquillity, the witnesses were fulsome in their praise. Bribery was a thing of the past, while rioting had all but disappeared. 'The election is conducted with such order and quietness', stated one witness of South Australia, 'that a stranger passing through town would scarcely be aware that there was anything unusual taking place.' A similar effect was observed in Victoria where even drinking had been greatly diminished.[72]

III

In Britain, the secret ballot finally entered the statute books in July 1872. This was at the third attempt and, during the course of its protracted passage through parliament, the bill changed significantly. One striking last-minute amendment, introduced by the House of Lords, made secrecy optional; another allowed for votes to be scrutinized. The former was retracted, but the House of Commons agreed to the latter, albeit on

[69] 'Report from the Select Committee on Parliamentary and Municipal Elections' [hereafter 'Report on Parliamentary and Municipal Elections'], *P.P.* vi (1870), 114–15, 141–6, 166–74, 289–91.
[70] Ibid., 416–22.
[71] Ibid., 413–14, 419.
[72] Ibid., 338, 380.

its own terms. It also conceded another Lords amendment under which the Act expired in 1880: for peers at least it was a 'temporary experiment'.[73] In its final form, the 1872 Act was modelled on the Australian ballot and applied to parliamentary and municipal elections throughout the United Kingdom; only the universities of Oxford and Cambridge were granted an exemption, which they continued to enjoy until university seats were finally abolished in 1948.[74] However, the ballot was not absolutely secret. Instead the Act adopted the system used in Victoria in which the registration number of each voter was written on the counterfoil of the consecutively numbered ballot paper. Hence it was known as the 'cheque-book system'. In the event of a petition, an elector's name and vote could be correlated. Moreover, to prevent the use of forgeries, each paper had to bear an official stamp on both sides, which in turn was subject to inspection as the folded paper was deposited in the ballot box.

The establishment of compulsory secrecy was not the only feature of the 1872 Act designed to secure more orderly elections. Most notably, it introduced written nominations for parliamentary elections; consequently, the great civic occasion of the public nomination was consigned to history. Developing the trend begun in 1832, it also further increased the number of polling stations: in counties, no elector was henceforth to travel more than four miles to vote.[75] The civilizing effect of the Act varied with constituency, and it was by no means an immediate stimulus to electoral tranquillity: serious rioting was reported in a number of boroughs and this continued to be the case up until the mid-1880s.[76] Nor was the purity of elections greatly enhanced: in the short term at least, it did not entirely remove bribery or disrupt structures of deference, whether long-established, as in the counties, or more recent, as in small towns dominated by industrial magnates.[77]

Yet clearly the 1872 Act did have its desired effect in some places, as a number of Parliamentary Select Committee witnesses were to attest in the following years. Some contended that bribery had been reduced, while others were emphatic that it had brought peace and order. 'Everything is so perfectly peaceful', reported Manchester's Town Clerk, Joseph Heron, in 1876, 'there is no knowledge of how the poll is going on, and therefore the excitement is almost entirely done away with.'[78] A year later, the Chief Commissioner of the Metropolitan Police spoke of a similar outcome in the capital: 'Since the passing of the Ballot Act we have never had the slightest trouble in any election that has taken place in London, and the places that used to be the worst are now the best.'

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[73] A very thorough treatment of the passage of the Act can be found in Kinzer, *Ballot Question*, chs. 4–7.

[74] William Cunningham Glen, *The Ballot Act, 1872, with Copious Notes and Index* (1873).

[75] Ibid., p. 8.

[76] Donald Richter, 'The Role of Mob Riot in Victorian Elections, 1865–1885', *Victorian Studies*, xv (1971), 19–28; see also Wasserman and Jaggard, 'Electoral Violence'.

[77] Martin Pugh, *The Making of Modern British Politics, 1867–1939* (Oxford, 1996), pp. 10–14.

[78] 'Report from the Select Committee on Parliamentary and Municipal Elections', *P.P.* xii (1876), 6.

Even polling in Tower Hamlets, traditionally a 'hotbed of riot', had passed off peacefully.[79]

Initially, however, both electoral personnel and voters struggled to get to grips with the new arrangements. In the election of 1880 almost 12,000 papers were marked incorrectly and so disqualified; of these a small number had been signed by the elector.[80] At the same time, it seems not all voters had confidence in the secrecy of the system: the Liberal Party published a number of pamphlets in the 1880s designed to reassure voters that, though a scrutiny was possible, to all intents and purposes the method was anonymous.[81] For electoral personnel, the biggest problem – described by one town clerk as 'the great blot in the ballot system'[82] – was posed by illiterate voters. According to the 1872 Act, illiterate voters had to make a formal declaration of their illiteracy; the ballot paper then had to be read to them by a poll clerk and marked with their preference. The problem was twofold. First, it caused unwelcome delay, for their number was not inconsiderable: roughly 35,000 illiterate votes were polled at the 1880 general election.[83] Secondly, since agents were often present when they cast their vote, illiterate electors radically compromised the secrecy of the system. Some officials even suspected deception: that literate voters claimed otherwise in order to publicize their vote.[84]

Irrespective of these problems, the actual experience of casting a vote was dramatically reconfigured. Every polling station was under the supervision of a presiding officer explicitly charged with 'keeping order', while 'Directions' reminding electors to keep their vote secret and to leave as soon as they had deposited their paper were placarded outside and within the station. Disciplinary mechanisms such as these worked alongside those which privatized the body. Another sign read: 'Any person interfering with voters will be removed from the polling station'.[85] Some protection, certainly of a visual sort, was afforded by arguably the key technology of the new regime, the 'polling compartment'. Provision was relatively generous: the Ballot Act enforced at least one compartment for every 150 voters entitled to poll at a given station. Commonly they were

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[79] 'Report from the Select Committee on Parliamentary and Municipal Elections (Hours of Polling)', *P.P.* xv (1877), 24.
[80] 'Return of the Number of Votes Disallowed for Irregularity in the Marking of the Ballot Papers at each Contested Election in the United Kingdom for the Present Parliament', *P.P.* lxxxiv (1881), 2–7.
[81] See Liberal Central Association, *Is the Ballot Secret?* (1882) and *Voting by Ballot* (Royston, 1885).
[82] Richard Aubrey Essery, *Parliamentary and Municipal Elections by Ballot* (1873), p. 22.
[83] 'Return showing, with respect to each Parliamentary Constituency in England, Ireland and Scotland respectively, the Population, the Total Number of Electors on the Register then in Force, the Number of Illiterate Voters Recorded, and the Number of Members Elected at the General Election of 1880', *P.P.* xi (1883), 9, 11, 14.
[84] 'Report from the Select Committee on Parliamentary and Municipal Elections', *P.P.* xv (1877), 3, 17, 26.
[85] Frank R. Parker, *The Powers, Duties and Liabilities of an Election Agent and of a Returning Officer, at a Parliamentary Election in England or Wales* (1885), pp. 139, 477.

thirty inches wide and seven feet high. Altogether, it made for a stark contrast with the earlier culture of polling. Only the declaration of the poll, which continued to be public, preserved something of the old. Parliament was certainly satisfied with the new system and the 1872 Act was renewed without much fuss in 1880. By the end of the century, the Act had been applied to the election of county councils, district councils, and school and Poor Law boards – and it still provides the main source of statutory guidance today.

It took the French another thirty years to introduce the fully secret ballot, during which time no less than fifteen projects had been considered in parliament. Only on 29 July 1913 did the envelope and *isoloir* finally pass on to the statute book, subject to minor revisions before they were applied in the general elections of 1914.[86] As in Britain it was part of a package of measures which aimed to 'ensure secrecy and freedom for voting'; it also made provision for enhanced security of the ballot box and increased public supervision of the count. The act of voting itself was redefined as follows:

> Upon entry to the polling station, the elector, having established his identity . . . will pick up an envelope. Without leaving the room, he will then be obliged to go on his own to that part of the room that has been arranged to hide him from view, while he puts his ballot paper into the envelope. He must then confirm to the presiding officer that he is only bearing a single envelope and, without touching it, the officer will ensure that the elector himself inserts the envelope into the ballot box.[87]

Guidance to prefects, instructing them to assist in introducing the law, added that it was designed 'to free electors from all external pressure and surveillance at the moment they cast their votes'.[88] At least two *isoloirs* were to be installed at each polling station, set against walls or in corners. Since the elector was to 'conceal himself completely', a thick curtain had to be provided, a practice that was not normally a feature of the British or Belgian compartments. The curtain was to be pulled across the booth, which would contain a table and writing materials. Here, the French might enjoy a liberty not granted the British for, in the absence of an official ballot paper, the voter remained able to write his own *bulletin* or use one supplied by a candidate. It was emphasized that the envelope containing the ballot of the voter's choice was then to be inserted into the box 'without anyone else having touched it', thus removing the interference of the presiding official that had presented so many problems in the past. As instructions in the Morbihan put it: 'Thus, each elector can cast his vote without anyone checking, knowing, or even suspecting his choice of candidate.'[89] Whatever the minor differences, the French

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[86] *JO*, 30 July 1913. The subsequent modification was passed on 31 March 1914.
[87] Ibid., 31 March 1914.
[88] *Avis aux préfets*, 9 Sept. 1913.
[89] AN, C 7032, Comment l'on vote d'après la nouvelle loi, April 1914.

were now polling in the same rule-bound, privatized manner as the British.[90]

Administrators were warned that this radical reform of electoral culture, though not especially complicated, would require some familiarization on the part of voters. In the event, the Great War intervened immediately after the inauguration of the new system and the electorate was obliged to wait until 1919 before repeating the experience. In the spring of 1914, however, many voters had been granted an additional opportunity to use the navy blue, date-stamped envelope and the curtained *isoloir* as a second round of polling took place in constituencies (the great majority) where leading candidates had failed to secure more than half the votes. Both rounds of voting seem to have passed off quietly, whether in the more sophisticated context of Paris or the rural fastness of Brittany. Perhaps the protracted process of legislation had already accustomed individuals to the system, at least those likely to comment upon it. Contemporary evidence certainly suggests satisfaction, if not something of an anti-climax: the *Petit Parisien*, for example, reported that 'the *isoloir* attracted a good deal of curiosity – inevitably so', but was much more concerned with the outcome of a hard-fought contest.[91] Some complaints arose over voters being accompanied into the booth, though where this was mentioned it seems to have occurred specifically for the benefit of the handicapped. One or two voters bypassed the *isoloir* and went straight to the *urne*, but these were minor teething troubles. There was also a suspicion that papers had been spoiled inadvertently by voters unfamiliar with the new procedure: some had used the available writing implements to sign the ballot paper or the envelope, thus invalidating their vote.[92]

In fact, the French had – and still have – a strong tradition of deliberately spoiling their papers, and this tradition may even have been encouraged by the added privacy the voter now enjoyed.[93] Those who inserted an empty envelope into the ballot box may simply have been following injunctions to 'voter blanc', which also had a long history and was regarded by many as preferable to abstention: for one Parisian in 1914 it was a more appropriate means of protesting against 'those dreadful individuals who solicit our votes'.[94] Inevitably some humorous cartoons appeared on the subject, but an essayist who gently ironized the *isoloir*

[90] See the comments of Alain Garrigou on the standardization of procedure, together with some examples of *isoloirs*, in 'La construction sociale du vote: fétichisme et raison instrumentale', *Politix*, xxii (1993), 22–42.

[91] *Le Petit Parisien*, 27 April 1914.

[92] AN, C 7249, Seine, Rapport sur les élections, 9 May 1914.

[93] AN, C 6849, Côte-d'Or, Procès-verbaux d'élection, 26 April 1914 and C 7032, Morbihan, idem, where there was a greater incidence in the practice than in recent elections. On the phenomenon of annotated papers, see Yves Deloye and Olivier Ihl, 'Des voix pas comme les autres. Votes blancs et votes nuls aux élections législatives de 1881', *Revue Française de Science Politique*, xli (1991), 141–70.

[94] AN, C 7249, Aux électeurs du 15e arrondissement, April 1914.

concluded his description of President Raymond Poincaré voting with the remark that 'an electoral monument' had been erected.[95] He was correct: almost a century later the system of secret voting inaugurated in 1914 still remains in use.

IV

In Britain in 1871, the Benthamite reformer Edwin Chadwick published a paper recommending the extension of the Poor Law method of voting to parliamentary and municipal elections. The rationale was that a postal ballot was the most convenient method of voting and would thus help reverse the low turnouts recently witnessed at the London School Board elections. 'Any requisition of time imposed upon an elector to interrupt his work, or to make him leave his home when he returns tired to go to a polling booth . . . now operates with increasing deterrent force', he claimed.[96] Chadwick's plan was not taken up, but his claim rings true today, as does his faith in a technological (as opposed to cultural) solution. Over the past decade, both Britain and France have experienced historically low turnouts in national elections, and in the former country there is growing interest in the use of telephone, postal and electronic voting.[97] While a concern to enhance the convenience of voting may not be new, the technologies to hand certainly are and the history of polling practices looks set to continue.

Even so, it seems unlikely that further reform will be characterized by the remarkable variations of practice and chronology witnessed during the nineteenth century. At the parliamentary level, if not the local, Britain moved decisively from a public system to a secret system. Across the Channel reform was far more protracted: while France was the first to reform voting procedures along more secret lines, it was among the last to adopt the properly secret ballot. Ironically, the Revolution proved something of a hindrance: by introducing a written ballot, which secured at least some secrecy, the case for a complementary polling compartment was rendered less compelling. Corruption persisted, but this was not attended by serious disturbance at the polling place as in Britain, even after the advent of universal male suffrage. Pressure for wholesale secrecy was accordingly less urgent.

In Britain, the dynamics of reform were much different. Crucially, there was a stronger, more articulate attachment to the publicity of polling, which extended to prominent radicals. It would be naïve to think that those who opposed the secret ballot did so purely out of principle; for some, a concern to maintain traditional means of electoral influence must also have featured. Yet principle did matter: in Britain there was a

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[95] Pioch, *15000!*, p. 209.
[96] Edwin Chadwick, *Ballot for Parliamentary and Municipal Elections* (1871), p. 3.
[97] Independent Commission on Alternative Voting Methods, *Elections in the Twenty-First Century: From Ballot Paper to E-Voting* (2002).

pronounced and widespread aversion to considering the vote a right that could be enacted privately and in the name of self-interest, whereas in post-Revolutionary France there was not. This aversion, furthermore, was embedded in a political culture which still conceived of patron influence as legitimate and of a piece with Britain's distinctive tradition of elite-based governance. Only in the wake of the Second Reform Act did the secret ballot emerge as a viable measure: the election of 1868 witnessed a significant increase in electoral violence and corruption, and boosted the standing of pro-ballot reform MPs in the House of Commons and in the cabinet.[98]

From the perspective of the present, it is tempting to regard the secret ballot as the inevitable consequence of the onset of 'mass democracy'. Such a reading, however, overlooks the complex genealogy of the secret ballot as it emerged in Britain and France. To name but one factor, it is highly likely that, if British reformers of the 1860s and 1870s had not been provided with the example of the Australian ballot, the 1872 Act would have prescribed an entirely different set of mechanisms, which in turn would have provided France with a different point of reference. The historical contingency of the secret ballot is easily overlooked, as is the fact that it was roundly condemned on the grounds that it corrupted rather than enhanced the practice of citizenship. Today, there is an absolute consensus that the vote should be secret and that it can be legitimately exercised in the name of personal interest. The key difference is that the normative model of the classical world has all but disappeared from political debate. Citizenship is no longer conceived as public obligation and civic performance as it was by the ancients; all adults, by right, now have the vote, but in both conception and practice it has been thoroughly privatized.

The secret ballot is thus grist to the mill of those who regard modern democracy with great ambivalence. Such voices were legion in the nineteenth century and a few endured into the twentieth. As recently as the 1970s, Jean-Paul Sartre recalled the radical critique of Mill and others:

> The *isoloir*, planted in the middle of the school hall or the council chamber, symbolizes all the acts of treason that an individual can commit against the groups with which he is involved. It says to everyone: 'No one can see you; you are responsible only to yourself; you are making your decision in complete isolation and, afterwards, you can conceal your verdict or even lie about it'.[99]

Of course, bearing in mind the intimidation and corruption that attended open voting in Britain and semi-secret voting in France, the idea that the secret ballot represents a betrayal of society appears somewhat overdrawn. Quite the opposite argument was, and could be, made; and

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[98] Kinzer's account highlights the importance of John Bright's subsequent inclusion in Gladstone's cabinet. See Kinzer, *Ballot Question*, pp. 246–7.
[99] J.-P. Sartre, 'Elections, pièges à cons', *Les Temps Modernes*, cccxviii (1973), 1, 100.

open voting is still practised in many organizations. The history of the secret ballot thus remains a critical history. On the one hand, it brings to light the varied temporalities and dynamics of political progress. On the other hand, it puts into question the very idea of political progress. Any conclusion that the advent of the polling compartment was for the best must surely be hedged with a few caveats to the contrary.