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[*From Mr. Holyoake.*]

A NEW

Defence of the Ballot

In Consequence of Mr. Mill's Objections to it.

BY

George Jacob Holyoake.

Political Error is like a Serpent alive at both ends—if severed it may still sting :
while it wriggles it lives : and those who mean to end it must—chop at it.

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PREFACE.

Who reads these few pages, will see the occasion of them. Since many politicians have treated the same subject, it will seem presumption or weariness for me to recur to it; but experience teaches that long standing error, and especially Political error is like a serpent alive at both ends—if severed it may still sting: while it wriggles it lives: and those who mean to end it must—chop at it.

This statement of the case of the Ballot was made at the Council of the London Reform League. Mr. Edmond Beales, the President, expressed in the name of the Council, approval of the argument and Mr. Acland moved that it be printed, and with a view to its circulation, at this time, in the Branches of the Reform League and other Political Societies.

While the Third Edition was in the press, Lord Hartington spoke upon the subject of these pages at Standish, and Mr. Hughes, M.P., at Frome. Their conjoint Speeches sum up the sentimental objections to the Ballot. Lord Hartington says "all public duties ought to be performed openly, especially the great constitutional duty electors owe to their country." One would fall prostrate before the moral elevation assumed by this noble lord, did not one see that he is careless whether the great "duty" be performed or not: since he has at no time proposed that its discharge be made *obligatory* upon the elector. His lordship connives at the desertion of the "duty they owe to their country" by half the electoral community who do not vote, and are not obliged to vote at all; and so of Mr. Hughes, who alleges that "open voting is more manly than secret voting," but takes no account of the *compulsion* of voting openly: Is that manly? The dependent voter can be taken by the nose as soon as he has given his vote, and he has to submit to it. And is this Mr. Hughes' theory of Electoral manliness? As an officer of volunteers, Mr. Hughes thinks it good judgment to take them into the field in an attire which does not expose them by conspicuousness to the enemy, but he would take up his electors to the Poll ticketed like a target. Like the *Spectator*, Mr. Hughes appears to regard it unmanly in Liberals to use discretion in fighting.

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New Defence of the Ballot.

It is incumbent upon those who took part in limiting the discussions of the Reform League to its own programme, to show that the subjects which the League is pledged to promote, are capable of occupying its members and interesting the public. It was for this reason that I asked last year for an opportunity of calling attention to the arguments by which the claim to the Ballot may be supported, and at our Meeting at St James's Hall, on the 28th of January, I indicated, in a short speech, the reasons I now more fully state.

For years past, the subject of the Ballot has been thought to be insipid—it has been felt to be growing obsolete—it has been much assailed by defamatory and contemptuous epithets. As a Beacon-light of the Liberal party, it has burned of late years, but fitfully. One who utters nothing lightly on questions of public moment—Mr. J. S. Mill, M.P. has declared that “the Ballot ought to form no part of a measure for reforming the representation of the people.”

Even now, ardent advocates of the Ballot—as Mr. Noble—speak of it apologetically, as something which they wish the people were strong enough to do without, and only defend it as a political necessity of the time—warranted by the presence of intimidations which excuse the weak for desiring the protection of the Ballot—but which the manly *should*, and the patriotic otherwise *would*, instinctively reject.

These opinions, and these concessions indicate the modern misconception of the uses and dignity of the Ballot. Instead of apologising for *desiring* the Ballot, we ought to apologise for being *without* it, it being a mark of manliness to demand it, and of independence to possess it. The Ballot is the weapon of the strong and of the strong only—a condition of individuality of action and a necessary complement of enfranchisement.

Mr. Mill, who like Jeremy Bentham, is a master of what an American would call “iron-clad phrases”—says that the Ballot means “secret suffrage.” It is this very quality which makes it invaluable. Secret suffrage is Free suffrage—secret suffrage means an impenetrable, an impassable, a *defiant* suffrage. Bribery cannot touch it—intimidation cannot reach it—that delicate instrument in Electioneering Mechanics, known as the political screw—cannot operate upon it.

There is a right and a wrong side in most things—yet in arguing upon the Ballot it is suggested that that which is secret must be wrong altogether. There are two descriptions of secrecy—an infamous secrecy and an honourable secrecy. The base kind of secrecy is that employed in mean, furtive, or criminal acts; as when a man lies, or conceals the truth in giving evidence, or clandestinely filches from another. But there is a second description of secrecy which is manly, as when I lock my doors against intrusive or impertinent people—or when I exclude others

from meddling with my affairs without my consent—or when I provide for the protection of my own interests in my business or my family. This is necessary and justifiable secrecy.* In these cases I merely exercise the right of personal privacy in what concerns me primarily, vitally, and concerns me alone. Privacy is my protection. For guarding my personal interests in the state the Ballot is all this to me.

The Ballot is not “secret voting” in the bad sense of being the act of an un-avowed agent—done in an unrecognized manner—and for a venal object. The Ballot is secret suffrage in the legitimate sense of privacy and security. The voter is a known person—he is selected by the state—his qualifications are approved—he is an *appointed* elector—he has recognized interests at stake—he is an instructed and informed agent. The Candidates who offer themselves to represent him have appealed to him—they have addressed him—they have set forth their claims before him—he has a duty assigned him to his country and his conscience. Now there is only one method by which he can discharge this duty. It is only by the use of a secret suffrage that he can come personally forward in a way in which corruption can have no hope of arresting him, and intimidation no chance of diverting or deterring him from indicating who shall be his responsible agent to represent his views—tax his resources, protect his interests—and attempt in his name to increase the freedom, honour and repute of his native land.

All this independence of action, is my business as a voter, and if that individuality of action which Mr. Mill so usefully vindicates, is to be secured to me—voting must be left my business. It is no affair of my neighbour *how* I vote, or *for whom* I vote, or *why* I vote—since I exercise no power or freedom which he does not equally possess, and which I do not equally concede to him. I am said to be an “independent” elector, I am told it is my duty to be independent; then why should any one want to know how I vote? I am not called upon to consult my neighbour as to what I shall do. If I am obliged to consult him *he is my master*, but he has no business with a knowledge of my affairs, and if he wants it he is impertinent—if he insists upon it he is offensive—and means me mischief if I decline to do his bidding.

Open voting was invented by persons who had an interest in persuading the people they were free, when all the while they were under effectual control. Those who devised open voting knew what they were about. It did not matter much who had votes, so long as the aristocracy, the landlords, or labour-lords could always know who gave votes against them. Does any one suppose that with the feelings which the governing classes entertained towards the people, that they would give the suffrage to any number of the people, to do with it what they pleased, and use it in a manner unknown, and therefore uncontrollable? The governing classes in State and Church would have been idiots, with their distrust of the multitude, to have parted with vital power, that they could no longer check. It would have been in their eyes an act of wholesale abdication. They saw in the Ballot the removal of the dam which kept the deluge from their doors.

The “manipulators of mankind” who devised open Voting, knew it must be submitted to, because they were able to enforce it, but they looked to its being decried and resented from the first moment its purport was seen: it never occurred to them that future patriots could be found to applaud it, and that philosophy would discover political virtue in it. Tyranny may hope yet that some one will discover that oppression is a scheme for developing the manliness of slaves.

* There is a good and bad publicity as well as a good and bad privacy. That is a good publicity when a man is accorded the Victoria Cross. That is a villainous publicity, when, for instance an Elector is convicted of selling his vote.

Reformers on the other hand clung to the Ballot with the instinct of self-preservation. Then their national pride was assailed and they were told (Lord Palmerston was great at this) that it is un-English to fight the battle of freedom with precaution. According to this reasoning the use of armour plates is cowardly, and it is un-English for a gunner to fire from a casemate.

I esteem the courage of individuality as highly as Mr. Mill, but there is no reason why individuality should not take care of itself. It is madness, not manliness in a man who opposes his single head to twenty swords. His fool-hardiness will merely deter others, and the reputation for courage he will acquire will not outlive the Coroner's Inquest upon him.

Individuality like other virtues is subject to the law of self-preservation. There might be more individuality of character than there is if every man was his own policeman. There might be more personal resolution than there is, if every man rejected the enervating equality of the law, which protects the weak against the strong. Then even the coward must fight and the weak must struggle or perish. But that is insanity of individuality which wantonly enters upon unequal conflicts; and open voting is of the same order of fatuity. Secret suffrage is the Needle-gun which places the proletariat and the proprietor upon an equality in the electoral combat.

The theory of Representative Government calls upon me to delegate my power to another for a given time. Once in seven years I am master of the situation—afterwards I am at the mercy of the Member of Parliament I elect. He may tax me, he may compel the country into war, he may be a party to base treaties, he may limit my liberty, he may degrade me as an Englishman, but I am bound by his acts. From election to election—he is my master. I must obey the laws he helps to make, or he will suspend the Habeas Corpus Act and put a sword at my throat, or fire upon me with the latest improved Rifle he has made me pay for in the Estimates.

I may howl but I cannot alter anything. My only security is that a time will come when I shall be master again. I shall taste of power for one supreme moment, when I shall stand by the Ballot Box. Then I can displace the member who has betrayed me, and choose another representative in his stead. But if the Candidate, or friends of the Candidate, subject me to espionage as I approach the Polling Booth, he can defy me and perpetuate his power to cheat me. If, because a man's politics are not of the Government pattern, Sir Richard Mayne (who always treats the working class as a criminal class) is minded to place him under surveillance, as a political *suspect*—that is intolerable, yet this is not more so than that the Parish Overseer should be placed in the Polling Booth to watch how he votes, and report it to whomsoever it may concern. This is to legalize the "tyranny of the majority."

Disguise it as you may, the device of open voting is mere political insolence. I am told that the vote is "a trust" then let me be *trusted* with it! I am not trusted so long as my use of it is watched. If I *choose* to vote openly that is my bravery, my pride, my ostentation, or my hardihood—if I am *forced* to vote openly that is the *badge of my inferiority*—it is the sign that I am not to be trusted. The open voter who is compelled to be so, is under surveillance—he is kept under the eye of his masters—he carries only a political Ticket-of-Leave, and is duly reported to the political police—his landlord, his employer, his customer, or his priest.

My power of secrecy is the sign of my independence, and I treat as my enemy all who, under any pretext, would impose upon me the *degradation of publicity*. I repeat, in order to impress it, that under the representative system the state accords to me but one minute of independence in seven years, namely, the moment when I give my vote. My interests, my preferences, my honour, my conscience, my country are then in my own keeping; and neither my neighbour, nor my employer, nor my landlord, nor the Government, shall, if I can help it, control

me then. If I am to share the responsibility of a citizen I will be free. But to be free I must have the *power of defiance*—and there is no defiance save in secrecy. I am ever at the mercy of those who retain in their hands the power of knowing what I do at the Polling Booth.

It is asked why should the member of Parliament be compelled to vote openly— if the elector votes secretly? I answer, because the member is the responsible agent—the elector is the master—the elector delegates to the member the power of life and death, of freedom or coercion over him; and he has therefore the right to know how this power is exercised, and to recall it one day, if need be. It is the elector who gives dignity to the member, not the member who gives dignity to the elector. *The elector never abdicates his manhood or mastership*; and so long as the Constitution secures him this independence, he yields to the law, to which he consents by his representative—a proud obedience, which otherwise no cunning could win and no force exact.

I do not say the Ballot gives wisdom, I only say that it gives freedom. A man may give a silly vote secretly as well as openly. It is true that with the Ballot a man is free to be a fool—but without it he is not free to be wise—politically. But you cannot disenfranchise men for being fools—if you were to do that you would make such abstractions from the present constituencies that in many towns and counties there would be no voters left to elect anybody.

This argument invalidates no one of these ordinarily advanced in favour of the Ballot. It is still true that the Ballot would frustrate Bribery—baffle intimidation and economise the expense of elections; but if it made them dearer I should reason as I do, for independence is worth all it costs.

Since the days of Defoe there has been a clamour for the Ballot in England— because the Liberals were narrower in the throat and tenderer in the head than their opponents. The Tories excel in shouting and fighting. They are more certainly the violent than they are the “stupid” party. At the last election in Rochdale the Reformers with the thickest heads had to be placed in the front. Only patriots with craniums of a well ascertained density were able to serve their country at the Poll; and as a general rule, where the Candidate’s purse invigorates the contest, the peculiarity of a free and independent elector is—a bandaged head.

With a secret suffrage the voter, Mr. Mill says, is “under no inducement to defer to the wishes of others.” True he is under no arbitrary inducement—but he remains under the natural inducements of sympathy, of conviction as to its utility or rightfulness, to consult the wishes of others. He ought to be under no other inducements. If the *wishes of others* are to be made *compulsory upon him*, the honest course is to set him aside and let the “others,” whose wishes are to prevail vote for him. I refuse to be bound by any consideration, or by any coercion of publicity, to vote as “others” wish. If I am taxed “others” will not pay my taxes—if I am oppressed or degraded “others” will not bear my dishonour. I therefore repudiate any coercive obligation to vote as “others” wish—whether in days of peace or strife, now, or at any time.

A strong point against secret suffrage, is, as Mr. Mill puts it, that the mean or selfish can do the base thing and “escape shame or responsibility.” But these knaves do this now under open voting—they always make things pleasant for themselves. You cannot reach *them* except by administering Lynch law at the Polling Booth, or pursuing them by a Vigilance Committee.

If the base or selfish are to be coerced by exposure and risk, it should be done to jurymen—base jurors may set the rascal free, or hang the innocent through prejudice, or inattention to evidence—but if to expose these you were to subject all jurymen to the danger of publicity, you would have fewer honest verdicts than you get now. You get justice done by giving *security* to those who award it—and this is the only way of getting honest votes at the Poll.

Mr. Mill is a leader, who allures all who seek light, by the luminousness of thought which he sheds over every subject he treats, and his conclusions are usually stated with such lucid force, that allegiance becomes a necessity of the understanding: and I should hesitate to dissent from him, did not long experience and passionate conviction, assure me that it ought to be done. Mr. Mill's eminence, sincerity and perspicacity, have lent to the case of the opponents of the Ballot a dignity and weight, with which they were unable themselves to invest it. But it is contrary to Mr. Mill's principles or practice to desire Reformers to acquiesce in his arguments, unless convinced by them. All he asks is, that which he has a right to ask—that his views shall prevail unless good reasons can be given against them. We all desire, as much as Mr. Mill, or Mr. Hughes, or Mr. Gladstone, that manliness shall prevail among Englishmen. What I ask is that manliness shall have fair play. But that is a mere mania for manliness, which would prohibit the conditions of its action. It no doubt would be one form of manliness to send our merchantmen out into a sea, infested and kept infested with pirates. But it is far more manly in a nation to sweep the sea clear of pirates, and keep it clear. Open voting invests the sea of politics with pirates, and it is no more decent in those who happen to be able to fight, to do so, than it is lawful for those who are able to protect themselves when assaulted, to take the law into their own hands, and exempt the judge from the duty of punishing the offenders.

I maintain therefore, that the secret suffrage is English, because it is English to be *free and defiant*. Manliness does not consist in living under the obligation of fighting, but in the capacity of fighting when fighting is inevitable. The compulsion of open voting enables the Briber to follow the scoundrel who has sold his country, to see that he renders his vote to the Candidate who has had the baseness to buy it. Since voting is made open, and not also compulsory—it does nothing to ensure individuality of character. For it enables the coward to skulk his duty at the Poll, and subjects him who shows himself there to all the social penalties of publicity. On some it entails violence, on others loss of employment or connections, it may be £5, it may be £500 a year, according a voter's extent of business—and to expose him to these risks represses, not promotes, individuality. Individuality is a quality which requires encouragement to grow—but it must possess a ferocious vitality if it develops itself under the treatment, to which public voting subjects it. The Individuality of action, Mr. Mill aims at, is only to be obtained out of a quickened conscience and an intellect open to truth, left to exercise itself in a fair field, where facts can act. You can no more get men through the wicket gate of the Poll, where they may be marked for reprisals and penalties, than you can get cattle through the butcher's door after they smell blood. Those whom you do get there at dangerous elections, are mostly they who are too poor, or too obscure to be hurt, or those who care not what follows—until it overtakes them; then as many of them that are harmed, ever after run screaming about the world against the costliness of being a Reformer, creating reaction everywhere. When a Voter comes to grief in this way, and has to look to friends for aid; neither he nor his friends like the situation: and if he regards his difficulty as one of the casualties of patriotism, thoughtfully provided by Liberal politicians, lest sacrifices should be deficient among their followers, the household of the weak-headed Voter, quickened by consequences, take a very different view of the matter: and do more than any enemies can, to spread disaffection in ranks, where the policy of the generals is to keep up the manliness of their troops, by exposing their families to the fire of the foe. In military affairs the commander prides himself on affording all possible shelter to his forces. It is only in political warfare that generals take credit for exposing their troops to fatal reprisals.

It is because I am an advocate of "Individuality" that I am an advocate of the Ballot. The ruler, the master, the priest, always suspect that the human machine will go wrong, unless they wind it up and keep the key in their pocket. Every man

likes to have his hand on his neighbour's shoulder. I would take it off once in every seven years. You see I advocate no terrible innovation. I would trust the grown-up taxpayer with the control of his own affairs, for one minute at every General Election. This is all that the Ballot means.

In argument, no question is met unless it is met on the strongest ground the opponent takes. To call the Ballot "secret voting," is the most damaging epithet an adversary applies to it, I, therefore, accept Mr. Mill's phrase. The term which the friends of the Ballot would select, is that of *Free* voting. Personal voting is a fair term for it. A man votes, as he marries, not for his neighbour's satisfaction, but for his own. Mr. Mill says, that if a voter may go wrong, "but the feeling of responsibility to others may keep him right, the friends of the Ballot admit that not secrecy, but publicity should be the rule." I, a friend of the Ballot, refuse to admit this. Whether the voter goes right or wrong, I stand by his freedom. He is responsible to no publicity. He is responsible alone to his sense of right and the public good. A "secret suffrage" would not, as some fear, convert life into a stratagem. Secrecy is like salt—an entire meal of salt would be highly unpalatable, but a little salt sprinkled over a meal, approves itself to the taste of all nations. And a little (wise and conditional) secrecy sprinkled upon the Ballot box, makes a vote palatable to the conscience, and sweetens the politics of the Kingdom.

We hear on all hands to day from Parliamentary Members, an admission which has *humiliation* in it. They are saying to their constituents that the intimidation, menaced by the Tories, is driving us to the Ballot. This is indeed an un-English confession. If the Ballot be a wrong thing, nothing should drive Reformers to it. The Ballot is spoken of as a sort of dastard's refuge, which the heroic Reformers should despise. I for one decline the Ballot on these terms. If it be a mere craven security, or an ignoble defence, Reformers should have none of it. Some Candidates say if the people demand it, it must be conceded. But if it be a wrong thing in itself, I would neither concede it, nor acquiesce in conceding it—however the people might demand it. We will not send the Hon. Mr. Berkely annually to the Bar of Parliament to plead for a cowardly democracy. We will accept all the responsibility of freedom. We adopt no disguise of the slave and obey no instinct of the fool. The bravado of open voting does not conceal from us that it is an acknowledgment of the right of others to control us. We repudiate that, and therefore we resent as an outrage any attempt to subject us to the manipulation of others.* The Ballot is the imperial attribute of the Sovereign Elector, whose province it is to impose responsibility upon the Representative, the elector himself being responsible to the law alone, should he sell the birth-right of his freedom, his Vote—in which case it should be forfeited for evermore.

At a General Election I would make no question supreme. Every Candidate should be accepted on his general merits, and the ground of his recognized capacity and public services. But I would ask of every *new* Candidate "Do you mean to vote for the Ballot—not merely acquiesce in it, if you must; not, merely vote for it, if others do—but do you mean it?—do you care for it?—will you be at trouble to secure it, and establish forthwith, for me as an Elector, my rightful and unassailable independence at the Poll?"

*Let any one who doubts this, read Mr. Hepworth Dixon's notable Address on Free Voting, delivered at Guildford, April 23rd, 1863. He will there see how James I. and Charles I. dealt with the Ballot Box.

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