

ABSTRACT

This essay explores how the introduction of the secret ballot eliminated the flaws of the prior open voting system. Upon adopting this new successful voting procedure, Australia 'exported' it to the world and it became a major turning point in the history of democracy.

THE SECRET AUSTRALIA SHARED WITH THE WORLD

Australia's Secret Ballot Reform as a Turning Point in the History of Democracy

The introduction of the secret ballot in Australia was not only a major turning point for Australia, but it also changed the entire world. It continues to shape our democratic system and has become the international standard for elections. Prior to its introduction in the late 19th century elections were held in public and involved openly declaring one's intentions leading to problems like bribery, voter coercion and violence. This changed when the Colony of Victoria introduced the first secret ballot. This essay will first track the international factors such as Chartism that were turning points in Australia's adoption of the secret ballot. It will then analyse local factors such as unionism and the gold rush. Next it will track the adoption of the secret ballot in Australia before finally turning to the international acceptance it received in the United States of America and the United Kingdom.

First it is important to appreciate the turning points overseas that facilitated Australia's introduction of the secret ballot. The original turning point was the early 19th century British working class movement called Chartism. The London Working Men's Association (LWMA) led by William Lovett and Francis Place developed six main demands to enfranchise and empower the working class including universal male suffrage and salary for parliamentarians¹. The secret ballot was viewed as central since without it working class franchise would mean little when bosses chose to manipulate workers². Importantly, the Chartists gained support by developing mass petitions to present to parliament. Indeed, their first petition in 1839 received over 1.25 million signatures, while three years later in 1842, the second petition secured over 3 million signatures and in 1848 secured 5 million signatures³. All of these petitions were rejected⁴ but the significance of these astronomical figures is that a previously obscure idea of secret ballots would have diffused widely throughout the British populace. Ultimately, the movement failed because of elite control: for instance, when the Chartists did decide to march on parliament to present their third petition to Parliament "Over 85,000 special constables and 8,000 troops were in place to meet between 20,000 and 50,000 Chartists"⁵. This reveals the absurd extent the state was able to

¹UK Parliament, *The Chartist movement*, <https://www.parliament.uk/about/living-heritage/transformingsociety/electionsvoting/chartists/faoverview/chartistmovement/>, 15th June 2018

² Ibid

³ Lovett, William, *Chartism: The People's Petition*, 1838, hosted by Modern History Sourcebook, <https://sourcebooks.fordham.edu/mod/1838chartism.asp>, 15th of June 2018

⁴ James Chastain, Chartism, JGC, October 15, 2004, <https://www.ohio.edu/chastain/ac/chartis.htm>, 15th of June

⁵ Paula Kitching, *Chartism*, History of Parliament, http://www.historyofparliamentonline.org/files/images/articles_lesson_3_chartism.pdf, 16th of June

suppress this popular movement and prevent it from actualising its demands. The Chartist ideas, however, became a mainstay of liberal and progressive thought over the rest of the 19th century. For instance, influential British philosopher John Stuart Mill championed the secret ballot as practicable and modern⁶. Such promotion ensured it remained a priority for activists and reformers eventually leading Australia to adopt the secret ballot.

There were also local factors which led to the introduction of the secret ballot. Locally, the important turning point in the development of the secret ballot was the Australian Colonies Government Act which sub-divided the colony of NSW, creating Victoria and Van Diemen's Land⁷. This allowed three competitive colonies the right to design their constitutional arrangements as they saw fit. It was in the drafting of Victoria's new constitution that secret ballots were first suggested and they were adopted only a few years later. Another important Australian turning point which facilitated the secret ballot was the rise of unionism and the Eureka Stockade, which raised working class consciousness and desire for reform. Amidst the Gold Rush, miners stood up to the system. After the Eureka Stockade, where the miners fought for lower license fees and political rights, the miners went on to secure their own right to vote, thus creating a precedent and representing the general appetite for working class reform. Moreover, the Europeans who arrived in Australia looking for gold brought with them the values of Chartism or inspiration from the revolutions of 1848⁸. By the 1850s, unions began advocating for an unprecedented workplace rights like an eight hour day. Labour organisations and liberal advocates for these changes were, however, aware that their proposals were undermined by the working class casting their votes in the interests of their employers⁹. As such, labour interests began to turn to ways of making elections fairer in order to continue to pass their industrial agenda.

Australia's pathbreaking push for a secret ballot was a turning point for democratic governance in the nation and around the world. Prior to its introduction elections in the colony of Victoria were violent, disorganised affairs. They were held entirely in public so individuals could see how their co-citizens voted. Historian John Hirst describes how public brawls would break out, in part due to public drunkenness¹⁰. He also illustrates the high level of voter intimidation: individuals could be coerced to vote for their employer, or feel compelled to cast their ballot for a candidate who shared their religion¹¹. Another major concern was bribery since wealthier voters could essentially buy the votes of poorer

⁶ Bruce L. Kinzer, "J.S. Mill and the Secret Ballot", *Historical Reflections / Réflexions Historiques*, Vol. 5, No. 1 (Summer/Été 1978), pp. 19-39

⁷ Act for the Better Government of Her Majesty's Australian Colonies (1850, UK Parliament).

⁸ Bowden, Bradley, "The Rise and Fall of Australian unionism: a history of industrial labour from the 1820s to 2010", *Labour History*, Vol 100, 2011, https://research-repository.griffith.edu.au/bitstream/handle/10072/40801/69891_1.pdf?sequence=1&isAllowed=y, 16th of June 2018

⁹ Cultural Heritage Unit, The Influence of Chartism on the Victorian Goldfields, 27 May 2015, The University of Melbourne, <http://www.egold.net.au/biogs/EG00295b.htm>, 16th of June 2018

¹⁰ John Hirst, *Making Voting Secret*, Victorian Electoral Commission, Melbourne, <https://www.vec.vic.gov.au/files/Book-MakingVotingSecret.pdf>, 17th of June 2018

¹¹ Ibid.

Australians¹². The idea for the secret ballot was therefore first seriously raised by liberal parliamentarian Henry Samuel Chapman but it was not universally popular. The satirical magazine Melbourne Punch accused him of being “conceited, pedantic bore”¹³ due to his obsession with electoral reform which reflects that some in society did not see the importance in the new system of voting, but instead saw it as a distraction from discussing ‘real’ policy. Today, of course, there is an intuitive connection between a flawed voting system and bad policy, but at the time electoral systems were seen as mere procedural questions. Fortunately, later, the Act for the Secret Ballot was drafted in 1856¹⁴. Although secret ballot voting may now seem like a simple process, the Act broke down the process into the finest details: for instance a paragraph was devoted to prescribing how the ballot should be folded before placing it in the box¹⁵. This reveals how this entire new system was so bizarre to Australians more explanation was thus required to communicate the importance of the new voting method and educate people on how to make their votes valid. Indeed, some politicians raised potential flaws in the new system such as “The individual might vote more than once, and there would be no effectual check on him”¹⁶. Even though the new system had many valid mechanisms to prevent this, such as a voter registry, many politicians were still against the idea and wanted to keep the open ballot. This could perhaps be due to self-interested motives: if the secret ballot was introduced parliamentarians would lose their opportunities to bribe their electors. However, other political figures were decidedly in favour, with one MP noting “the Legislature were engaged session after session in passing bribery prevention bills... and having committees for enquiring into elections, when the whole labor might be saved by the simple plan of making [the vote secret]” since the person offering a bribe would have no knowledge of the person who accepted it and the vote would follow through¹⁷. The arguments defending a secret ballot thankfully prevailed and the system was successfully expanded to the other Australian colonies, starting with South Australia only a few months later. Federation was another major turning point for the secret ballot as the new national parliament decided to make it the standard method for voting at all levels of Australian governance¹⁸.

The secret ballot was not just a major turning point for Australia but, indeed, one for the entire world. In particular this voting system was enthusiastically adopted by America. Prior to the introduction of the secret ballot, American colonial elections were beset by violence. After an infamous fray, Congress even ruled that brawls and intimidating violence and the ballot box did not invalidate elections unless , “it must clearly appear that there was such a

¹² Ibid.

¹³ R. S. Neale, *Chapman, Henry Samuel*, Australian Dictionary of Biography, Volume 3, (MUP), 1969, <http://adb.anu.edu.au/biography/chapman-henry-samuel-3193>, 16th of June 2018

¹⁴ Hirst, *Making Voting Secret*, op. Cit.

¹⁵ Electoral Act (1856, Victoria), hosted at <https://www.foundingdocs.gov.au/item-did-84.html>

¹⁶ The Age, *VOTE BY BALLOT*, 1855,

<https://trove.nla.gov.au/newspaper/article/154865908?searchTerm=secret%20ballot&searchLimits=l-decade=185||l-state=Victoria>, 19th of June 2018

¹⁷ Ibid.

¹⁸ John Hirst, “Making Voting Secret”

display of force as ought to have intimidated men of ordinary firmness”¹⁹. Not only does this reflect on just how common conflict was, it shows that American elites were willing to tolerate moderate violence at the ballot station rather than simply following Australia’s example and introducing a secret ballot. Reform was, however, considered in the late 19th century after “89 Americans were killed at the polls during Election Day riots”. In this context there was also a rising cultural recognition of the importance of voter privacy: for instance there was a rise of the so-called a ‘vest pocket’ elector would conceal their preference in their pocket until they handed it to election officials²⁰. It was considered manlier, however, to keep the vote out in the open, thus catalyng social pressure to reveal your vote²¹. As in Australia, the introduction of America’s secret ballot was controversial as an newspaper observed “like all other questions connected with the working of the democratic system in the United States, the ballot has its firm supporters and its fierce assailants”²². Notably, moreover, the article referred to the secret ballot as “the Australian ballot”, reflecting how this democratic institution was already closely associated with our nation. Over time, however, the secret ballot took hold of the American political imagination and remains a central institution today.

When Britain, then the most powerful nation in the world, adopted the secret ballot it represented the most significant turning point in the global history of that institution. Just like in Australia, before the new “secret ballot” system was introduced in 1872 British voters were prone to bribery thus undermining the reputation of the democratic process. A newspaper sketch from the time observed “30000 a year and 30 shillings a week are equal this time”²³, revealing how the introduction of the secret ballot was associated with alleviating bribery. Historians argue this process not only stopping fights and bribery, but increased equality. This illustrates how unusual the process was for the British electorate at the time. The process, however, was not without incident or controversy as problems arose. For instance, at the first British secret ballot election which was a by-election in Pontefract a journalist comically noted “3 elderly voters who forgot their spectacles had to be assisted using the procedure for blind voters”²⁴. According to the reporter, this undermined the entire purpose of making this a ‘secret ballot’ as their opinions were public to the blind voters. He goes on to complain that facilities of the voting booths were poorly made which allowed voters to spy on each other’s ballot²⁵ and suggests the place of voting, a school hall, was also poorly chosen. Indeed, he describes how “[a] voter, full of grave and serious thoughts at having assisted at so important an experiment” was forced to exit through a first story

¹⁹ Jill Lepore, *Rock, Paper, Scissors How we used to vote.*, The New Yorker, October 13, 2008, <https://www.newyorker.com/magazine/2008/10/13/rock-paper-scissors>, 19th of June 2018

²⁰ University of Virginia, *Secrecy in Voting in American History: No Secrets There*, <http://sociallogic.iath.virginia.edu/node/30>, 19th of June 2018

²¹ Elizabeth King, *How the U.S. Ended Up With Today's Paper Ballots*, TIME, April 26, 2016, <http://time.com/4305508/paper-ballot-history/>, 19th of June 2018

²² The Economist, *Save our secret ballot!*, Dec 30th 2008, <https://www.economist.com/democracy-in-america/2008/12/30/save-our-secret-ballot>, 19th of June 2018

²³ Alasdair Gill, *Britain's first secret ballot*, BBC News, 5 April 2015, <http://www.bbc.com/news/uk-england-leeds-31630588>, 19th of June 2018

²⁴ Ibid.

²⁵ Ibid

window and thus “found himself involuntarily running with an ever-increasing impetus down a steep incline on a spring board which would have enabled a professional gymnast to clear the school wall with the greatest ease”²⁶. This doubt is echoed by a conservative editorial in the *Spectator* which dismissed the election given that “out of 1,960 electors only 1,230 went to the poll! One-third of the electors voluntarily disfranchised themselves” which is a spurious argument since it does not draw a causal connection between the low attendance and the secret ballot. In the end, however, voters strongly preferred this new system when it was tested at a general election later that year²⁷. This shows how the secret ballot’s merits were often best appreciated by everyday people even while they were scored by elite journalists and politicians. In the end Britain's adoption of the secret ballot ensured Australia’s idea would become the global standard, thus representing a major turning point in democratic history.

Australia’s introduction of the secret ballot exposed the many flaws in the prior system of voting, which led to other countries adapting the system thus spreading it around the globe. However, Australia’s role this crucial turning point in the history of democracy is not sufficiently recognised or commemorated today. Australians should take understandable pride in the success of the secret ballot. Reflecting on our role in the secret ballot would also remind us of the importance of continuing to set a democratic example for the world.

Annotated Bibliography

The Age, *VOTE BY BALLOT*, 1855,

<https://trove.nla.gov.au/newspaper/article/154865908?searchTerm=secret%20ballot&searchLimits=1-decade=185||l-state=Victoria>, 19th of June 2018

The news article from the Age reveals the anxieties and hopes for the secret ballot when it was first used. By the standards of journalism it is relatively objective and considered perspectives on both sides of the debate. It highlights some of the supposed flaws of secret voting such as donkey votes or “voting more than once” which caused consternation at the time.

Bowden, Bradley, “The Rise and Fall of Australian unionism: a history of industrial labour from the 1820s to 2010”, *Labour History*, Vol 100, 2011, https://research-repository.griffith.edu.au/bitstream/handle/10072/40801/69891_1.pdf?sequence=1&isAllowed=y, 16th of June 2018

The article by historian Bradley Bowden offered a survey of Australian labour history. It explained the brutal and unfair laws that have been resisted by unions over time. Published in a reputable peer-reviewed journal it was a highly reliable source, but its wide scope did limit

²⁶ The Spectator, *THE FIRST ELECTION UNDER THE BALLOT.*, 17 August 1872, <http://archive.spectator.co.uk/article/17th-august-1872/5/the-first-election-under-the-ballot>, 20th of June 2018

²⁷ Gill, *Britain's first secret ballot*.

its usefulness. It was, however, helpful for the section on the role of trade unions in the push for the secret ballot.

Chastain , James, “Chartism”, hosted by Ohio University, October 15, 2004,<https://www.ohio.edu/chastain/ac/chartis.htm>, 15th of June

This web article by historian James Chastain is a summary of the events of the Chartist movement. As material for a higher education course it can be broadly trusted. It also provides an indicative list of sources which heightens its reliability. It was most useful in illustrating the growth in Chartist petitions.

Cultural Heritage Unit, The Influence of Chartism on the Victorian Goldfields, 27 May 2015, The University of Melbourne, <http://www.egold.net.au/biogs/EG00295b.htm>, 16th of June 2018

This summary made from multiple sources focused on the Goldfields and their relationship to Chartism. It weaves in the context of the Eureka stockade and explains the concessions governments across Australia were forced to make in response to the activism of working class groups. This source helpfully reminded me that democratic reform was not a linear flow of Australia inspiring Britain.

The Economist, *Save our secret ballot!*, Dec 30th 2008,
<https://www.economist.com/democracy-in-america/2008/12/30/save-our-secret-ballot>,
19th of June 2018

This article by *The Economist* outlines the importance of the secret ballot in response to contextual criticism. While *The Economist* is considered to have a liberal-conservative bias this article is mostly a historical summary and can be verified by other sources. It was mostly concerned with America and thus was chiefly useful during that section.

Electoral Act (1856, Victoria), hosted at <https://www.foundingdocs.gov.au/item-did-84.html>

This historically significant document was an incredibly useful primary source. It revealed how the very first secret ballot was legislated and, in particular, explored extreme detailed required due to the unfamiliarity of the next system. As it was hosted by a government website, it was very trustworthy.

Gill, Alasdair, *Britain's first secret ballot*, BBC News, 5 April 2015,
<http://www.bbc.com/news/uk-england-leeds-31630588>, 19th of June 2018

This contemporary article offers a detailed, historically informed account of the ever secret ballot in Britain. It considers how the ballot equalised political power in the nation by limiting bribery. As a source produced and hosted by the BBC it can be considered highly reliable.

Hirst, John, *Making Voting Secret*, Victorian Electoral Commission, Melbourne, <https://www.vec.vic.gov.au/files/Book-MakingVotingSecret.pdf>, 17th of June 2018

Historian's John Hirst's book-length study of the secret ballot in Victoria was perhaps my most useful secondary source. Commissioned by the Victorian Electoral Commission, it went into great detail about the flaws in the old voting system and the benefits of the current secret voting system. Written by an esteemed historian of Australia, it offered an unparalleled insight into my topic of study.

King, Elizabeth, *How the U.S. Ended Up With Today's Paper Ballots*, TIME, April 26, 2016, <http://time.com/4305508/paper-ballot-history/>, 19th of June 2018

This contemporary journalistic article discussed American voting behaviour in the 19th century. It provides a vivid account of the voting process; and I was most interested in the gendered social pressure for male voters to show their paper when going up rather than hiding it. This article offered insights on the coercive nature of past voting systems.

Kinzer, Bruce L., "J.S. Mill and the Secret Ballot", *Historical Reflections / Réflexions Historiques*, Vol. 5, No. 1 (Summer/Été 1978), pp. 19-39

Bruce Kinzer's academic article "J S Mill and the Secret Ballot" is a detailed study of the famous British philosopher's interest and advocacy in the secret ballot. As an academic work it was highly comprehensive and discussed a variety of Mill's writings on the subject. While Mill was not central to my project he was used as an illustrative case of how the secret ballot was advocated by British figures outside the Chartist movement.

Kitching, Paula, *Chartism, History of Parliament*, http://www.historyofparliamentonline.org/files/images/articles_lesson_3_chartism.pdf, 16th of June

This text went in depth into the British government's suppression of the Chartist movement. As an educational resource it provided a useful contextualisation of the major objectives and tactics of Chartism, and directed me to other readings. It was too basic to serve as my sole source during this section but offered a useful overview.

Lepore, Jill, *Rock, Paper, Scissors How we used to vote.*, The New Yorker, October 13, 2008, <https://www.newyorker.com/magazine/2008/10/13/rock-paper-scissors>, 19th of June 2018

This article by Harvard historian Jill Lepore explained the troubles of voting in America in the 19th century. It contained shocking anecdotes of ballot box violence and contextualised them in the wider American democratic history. Though very reliable the scope of the article was wider than my project and often did not solely discuss the secret ballot.

Lovett, William, *Chartism: The People's Petition*, 1838, hosted by Modern History Sourcebook, <https://sourcebooks.fordham.edu/mod/1838chartism.asp>, 15th of June 2018

Sourced from William Lovett biography, *The Life and Struggles of William Lovett* this document outlined the major objectives of the Chartist movement. Even though autobiographies often exhibit bias, this source merely reproduced a publicly available document and thus could be verified. It served as a helpful primary source in my section on British working class activism and the secret ballot.

Neale, R. S., *Henry Samuel Chapman*, Australian Dictionary of Biography, Volume 3, (MUP), 1969, <http://adb.anu.edu.au/biography/chapman-henry-samuel-3193>, 16th of June 2018

This entry in the Australian Dictionary of Biography provides critical insights into the achievements and background of Henry Samuel Chapman, the Australian politician who authored the secret ballot legislation in Victoria. The source draws upon an array of cited primary material and offers a balanced assessment of Chapman, including drawing attention to his faults. It was therefore a highly useful source in the section evaluating his involvement.

The Spectator, *THE FIRST ELECTION UNDER THE BALLOT.*, 17 August 1872, <http://archive.spectator.co.uk/article/17th-august-1872/5/the-first-election-under-the-ballot>, 20th of June 2018

This source is an archived anonymous article written in 1872 after the first British secret ballot. It was extremely helpful in providing a primary account of the reactions to this institution in the United Kingdom. The source is highly critical of secret ballot reforms and this is likely due to the conservative bias of the publication. After taking this bias into account, however, the source still reliably conveys perspectives at the time.

UK Parliament, *The Chartist Movement*, <https://www.parliament.uk/about/living-heritage/transformingsociety/electionsvoting/chartists/overview/chartistmovement/>, Accessed 15th June 2018

The text summarizes the relationship between the Chartist movement led by the London Working Men's Association (LWMA) and contemporary British democracy. Since it is a source produced by a parliamentary research unit it can be considered highly reliable, and its summary of the objectives of the movement were most helpful. I did feel, however, that the section on the origins of the secret ballot in Britain downplayed Australia's contribution. It was mentioned, certainly, but only in passing; this was most likely due to the source's national bias.