

## **John Stuart Mill and the Secret Ballot: A Critical Appraisal**

In *On Representative Government*, John Stuart Mill argued that the secret ballot is justified where necessary to prevent violence and intimidation against voters. However, he believed that everyone should, in principle, be able to know how everyone else has voted. According to Mill, a person's vote 'is not a thing in which he has an option; it has no more to do with his personal wishes than the verdict of a juryman. It is strictly a matter of duty; he is bound to give it according to his best and most conscientious opinion of the public good' (324).<sup>1</sup> Hence, he maintains, while secrecy can be justified in exceptional circumstances, publicity in voting amongst citizens, as amongst legislators themselves, should be the norm (323 and 329).

This paper examines Mill's arguments, and contrasts them with those of the American Supreme Court, in *NAACP v. Alabama* (1958).<sup>2</sup> The Court argued that ordinary members of the NAACP should be entitled to anonymity, even if their leaders are not. I will suggest that the latter points the way to a democratic conception of privacy in politics, and illuminates the limitations of Mill's otherwise quite appealing conception of representative government.

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<sup>1</sup> John Stuart Mill, *On Representative Government*, chapter 10. All pages references are to the 1993 Everyman edition.

<sup>2</sup> *NAACP v. Alabama* concerned the claims of the National Association for the Advancement of Colored People to keep its membership list secret from the government of Alabama, at the height of protests over state-enforced segregation in the South.