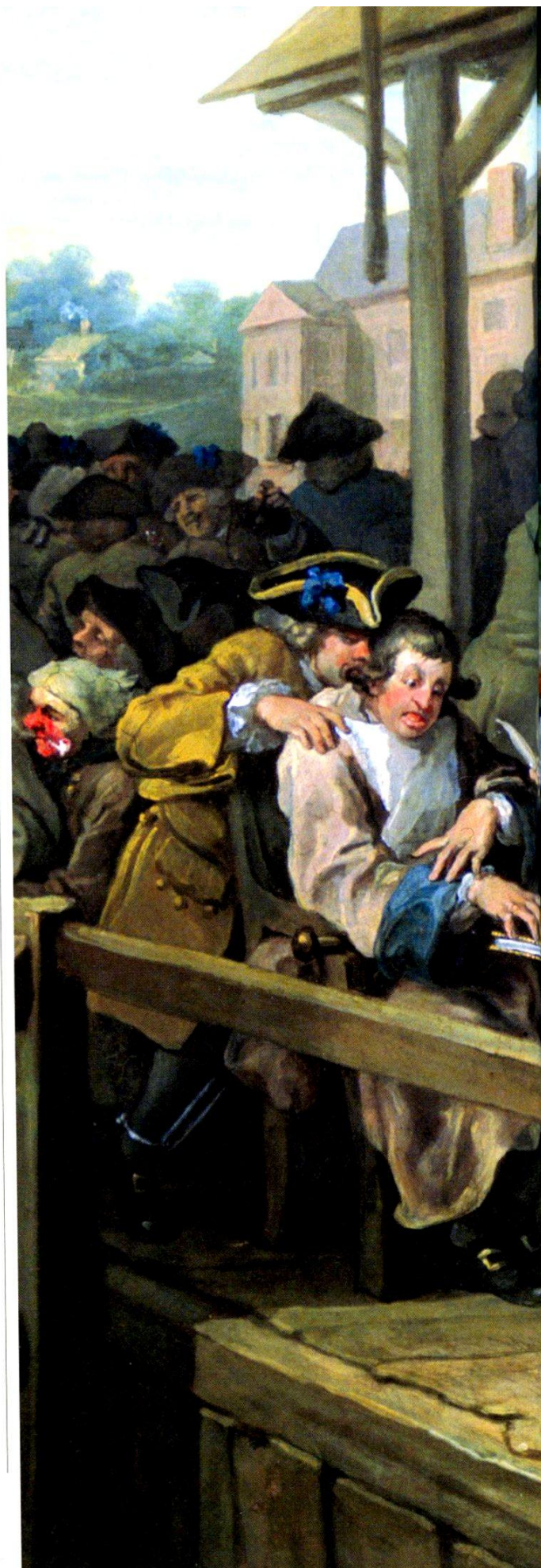


# WHO SHOULD HAVE THE VOTE?

What electoral rights did Britons have in the century before 1918?  
*Philip Salmon and Kathryn Rix*

'The Polling' (detail),  
the third in William Hogarth's four-part  
series, *An Election*, 1754.





**L**arge numbers of British people were once deliberately excluded from voting in parliamentary elections, because they were considered unfit to exercise the franchise. Some restrictions still apply in modern elections – foreign citizens, convicted prisoners and members of the House of Lords cannot vote – but the idea that all adults should have an equal right to elect their MPs, regardless of gender or wealth, has become so ingrained in the UK's modern democratic culture that it barely seems to warrant comment. That is, at least, until recently, when mutterings emerged following the surprise decision in 2016 to leave the European Union. The fact that an entirely different approach was in operation for many centuries in Britain before 1918 and that its last vestiges remained in place until relatively recently is often overlooked.

As we recall the centenary of the 1918 Act, which enfranchised a limited number of women (those under 30 would have to wait another decade) and the 40 per cent of adult men who had previously been unable to vote, it seems timely to remind ourselves of the grounds on which people used to be excluded from going to the polls. The rationale – if that is the right word – underpinning the discrimination against women in earlier electoral systems has received considerable scholarly attention in recent years, but the hurdles facing men who aspired to become electors remain less well documented.

### **Voting before 1832**

One of the great merits of Britain's unreformed electoral system was its diversity. For every English 'pocket' or 'rotten' borough, where the franchise had become so obsolete or restricted that the right of election had effectively been transferred to a local patron or 'borough-monger', there was another constituency with a surprisingly wide and sometimes completely open voting system. Studies by the historians John A. Phillips and Frank O'Gorman, as well as the *History of Parliament* volumes on the period between 1820 and 1832, all testify to the genuinely participatory nature of many borough polls before the major reforms of 1832, despite the bizarre plethora of voting qualifications that were on offer.

In Preston, for example, all householders

were entitled to vote, provided they had been resident for six months and their family had not received any alms or poor relief (the equivalent of modern social benefits). Similarly broad electorates existed in the dozen or so towns operating a 'potwalloper' franchise, meaning people who boiled their own pots. This restricted the vote to those occupying dwellings with their own fireplaces and cooking facilities, disenfranchising lodgers, occupiers of shared houses or multi-tenancy buildings and, of course, vast numbers of servants. The guiding principle with all these 'householder' franchises was that electors had to be 'respectable' enough to occupy separate properties, rather than be socially or financially dependent on others, and be connected with their community as a resident of some duration. Itinerant workers and groups who moved around a lot – at a time when residential mobility was fast becoming the norm in urban areas – often found themselves excluded.

Another 36 English boroughs operated a 'scot and lot' franchise, where it was the payment of local rates, assessed on occupied premises such as houses and shops, that conferred the vote. Again this implied both residence and some degree of respectability, as the humblest dwellings were usually not assessed for rates. An additional obstacle here, however, was that getting into arrears with your rates, or having your landlord pay the rate payment as part of your rent (a practice known as 'compounding'), would prevent the elector appearing on the rate books used to identify voters at election time.

By far the most numerically significant pre-1832 franchises were the ancient freeholder and freeman qualifications, which operated on rather different lines. In the rural county constituencies it was ownership, as opposed to occupation, of property that conferred the vote. All men owning freehold property worth 40 shillings (£2) in terms of its annual rental value or income were entitled to vote, regardless of whether or not they were actually resident and irrespective of the type of property owned. Besides land, houses and buildings, a vast range of other forms of freehold property could qualify, such as steam engines, tithes, grave plots, shares in things such as mines, rivers, gasworks, turnpikes and tolls and even loans provided by mortgagees.





The people of Britain possess the power to return an independent parliament if they will but exert it, think of that my noble pot-walloper.

Never mind *him* I'll give you something to put in your pot.

**A POT - WALLOPER**

*"In some parts of England the elective franchise is held by every man that wallops, or boils a pot in a tenement & hence pot-walloper is a parliamentary and legal term."*  
 Published by Tho' M' Lean 26, Haymarket July 14<sup>th</sup> 1830. (Times Monday July 12<sup>th</sup> 1830.)

Printed by C. Kelly 25, Ludgate St.  
 14 July 1830

**A Pot-Walloper, published by Thomas MacLean, 1830.**

**'A "potwalloper" franchise restricted the vote to those occupying dwellings with their own fireplaces'**

An 1846 parliamentary report on this county franchise, which remained in full operation until 1918, identified over 500 distinct types of freehold qualification. A number of boroughs also operated a freeholder franchise, usually in tandem with other qualifications.

Of all the pre-1832 franchises, it was the freeman vote that was the most arbitrary and liable to abuse. Used in almost half the English borough constituencies, this qualification was based on acquiring the 'freedom' of a borough or city in four distinct ways: by inheritance from father to son; by serving a trade apprenticeship to a freeman in a local guild; by marriage with a freeman's daughter; or by being granted or 'gifted' an honorary freedom by the local corporation. Although the freeman franchise was by far the most socially inclusive, often enfranchising large numbers of tradesmen and workers regardless of their wealth or property status, it was also by far the





THE SUPPORTERS OF THE "WORKING MAN."

most corrupt. Wholesale bribery of poorer working-class freemen with money and free alcohol ('treating') and mass creations of honorary freemen (or 'towheads' as they were known in Stafford) for purely electoral purposes had by 1832 become so endemic that any redeeming features of what had once been a skilled artisan franchise had all but disappeared. That so many honorary freemen tended to be non-resident, available for hire by rival candidates on polling day, also distorted the historic connection with local communities that had once underpinned this civic franchise.

Different principles were clearly at work with these pre-1832 voting qualifications. Legal ownership of property was the litmus test in the counties, disenfranchising people who only rented their farms and estates along with armies of poor agricultural labourers and tradesmen. In some boroughs, however, the labouring classes formed a substantial chunk

*The Supporters of the 'Working Man' shows a worker supporting (from left) Palmerston, Russell and John Bright, Punch, 9 April 1859.*

'Unlike later reforms, those of 1832 also *restricted* many people's electoral rights'



of the electorate, either as freemen or as tenants occupying separate households. Respectability, or what politicians often termed 'responsibility', was less about wealth than moral standing and independence. Those in regular employment, who routinely paid their rents and local taxes as long-term residents, were the ideal type of 'respectable' householder. The challenge for the architects of the 1832 Reform Act – among many others – was how to reconfigure these voting rights in a way that preserved their best features, while removing their worst; and how to make the system far more uniform and properly regulated.

### Voting rights from 1832 to 1867

The expansion of the electorate that resulted from the 'Great' Reform Act of 1832 is well documented. The table overleaf shows how this measure – traditionally viewed as a first step on the road to democracy – compared with the increases associated with the subsequent reforms of 1867, 1884 and 1918. What is less well understood about 1832 is that, unlike later reforms, it also *restricted* many people's electoral rights, as part of a cleaning-up process designed to improve the 'incorruptibility and intelligence' of the electorate, as the Liberal election agent Joseph Parkes put it. In some places the impact of these changes was dramatic. In the Essex town of Maldon, for example, the number of electors dropped from over 3,000 in 1831 to just 700 in 1832, mainly owing to the abolition of non-resident voting rights that had been acquired by marriage with a freeman's daughter. Taken as a whole, for every three £10 householders enfranchised by the 1832 Reform Act, at least one former elector effectively lost his right to vote. The Act also formally restricted the suffrage to 'male persons' for the first time.

As well as abolishing specific 'rotten' franchises, such as honorary freemen and freemen by marriage created after March 1831, the Reform Act limited most of the old borough franchises to existing voters only, allowing 'ancient rights' qualifications to die out over time. One notable exception here was the freeman qualification acquired either by birth or by serving an apprenticeship. Contrary to what is often stated in many textbooks, this franchise continued to be available to new entrants right up until 1918, subject to local

enrolment customs and the conditions that applied to all borough electors after 1832.

Chief among these was residence. After 1832 all borough voters had to have been resident in the constituency for six months, with £10 householder voters having occupied their premises for at least one year. Residence and renting criteria were also extended to the counties for the first time in 1832, with new voting rights granted to tenants occupying property worth £50 a year as well as certain types of leaseholder. Another restrictive condition introduced in all boroughs after 1832 was the payment of local rates. In order to ensure the respectability of the new £10 household qualification, which enfranchised occupiers of property worth £10 or more per year in rental value, all voters had to have paid their rates. As was mentioned earlier with the 'scot and lot' franchise, this potentially disenfranchised large numbers of householders who 'compounded' their rates by including them in the rent paid to their landlords. Estimates vary, but one parliamentary report reckoned that this excluded one sixth of the potential household electorate.

As if the ownership of property, or the occupation of premises of a certain value combined with residence and the payment of rates, were not enough, all electors after 1832 had one more hurdle to cross before they could actually vote. Instead of being able to claim their rights at the poll itself, as was the case in all election contests before 1832, voters now had to ensure that they appeared on a register compiled every year, be prepared to defend their legal entitlement in annual registration courts and pay a registration fee of one shilling. For some this was simply too much. 'To the poor man who reckons his earnings in pence', complained the *Preston Chronicle*, 'a shilling is a serious and important amount.' In the counties, noted the *Edinburgh Review*, many 'yeomanry doggedly refused to register, saying "they had always voted without being registered, and did not see why they should have anything of the kind done now"'.

It was this registration system, more than anything else, that helped accentuate the disparity between the privileged few who were qualified to vote and those who were not. Before the Reform Act, an electorate as such simply did not exist, independently of an actual



TO THE  
**Electors**  
OF THE  
**Parts of Lindsey.**

**EVERY ELECTOR** is required to deliver a Notice of his **CLAIM for VOTING** to the Overseers of the Parish in which his qualification lies, *together with One Shilling*, on or before **MONDAY** the Twentieth Day of **AUGUST** Instant, **OR HE WILL LOSE HIS RIGHT OF VOTING.**

Proper **FORMS** may be had of the **OVERSEERS** of every **PARISH**, with Instructions for Filling them up.

11th **AUGUST**, 1832.

S. PARKER, PRINTER, SPILSBY.

poll taking place. There was no permanent public distinction between electors and non-electors. After 1832 the lines drawn between these two groups became far more marked and began to attract ever increasing public commentary and political debate.

### Voting rights from 1867 to 1918

Despite the Chartists' campaigns of the 1830s and 1840s for universal adult male suffrage and the introduction of various reform bills in 1852, 1854, 1859, 1860 and 1866, the next extension of voting rights did not take place until 1867. The Second Reform Act, Disraeli's 'leap in the dark', made little change to county voting, focusing mainly on the boroughs. Reflecting in 1864 on 'the qualities which fit a man for the exercise of the franchise', the future Liberal prime minister William Gladstone identified:

*self-command, self-control, respect for order, patience under suffering, confidence in the law [and] regard for superiors.*

These, he believed, only applied to 'a limited portion of the working class'. The question of how to distinguish between respectable, sober,

prudent working men, who were considered morally entitled to the vote, and the undeserving 'residuum', prompted Gladstone to propose a £7 household franchise for the boroughs, as part of his failed Liberal reform bill of 1866.

The Conservative ministry's follow-up measure of 1867 sought to outmanoeuvre the Liberals by abandoning any attempt to draw a fixed line on the basis of yearly property values, opting instead to enfranchise all male borough householders. Crucially, however, this was limited – and complicated – by including various safeguards regarding the payment of rates and a one-year residence. The impact of the apparently obscure issue of rate-paying was shown by the fact that one successful backbench amendment – Hodgkinson's amendment – added as many as half a million men to the electorate by altering the rules relating to 'compound' ratepayers.

By 1867 the dwindling number of 'ancient rights' voters meant that it was the occupation or ownership of property that accounted for most of the electorate's qualifications. There were, however, various suggestions for what the Radical MP John Bright dismissively termed 'fancy franchises' in the reform bills of the 1850s and 1860s. These provide further insights into the qualities that Victorian politicians felt potential voters should possess: intelligence, respectability, prudence. Lord John Russell's 1854 bill had proposed creating new franchises for those with substantial savings, professional status or a university education. A similar range of fancy franchises initially appeared in Disraeli's 1867 proposals, which also suggested giving additional votes to those paying more than 20 shillings a year in direct taxation. The rationale behind all these proposals – none of which came to fruition – was to prevent existing electors being 'swamped' by an influx of working-class voters.

One of the unintended consequences of the 1867 Reform Act and its substantial extension of the borough electorate was to highlight the disparity between the borough and county franchises. For many individuals, qualifying to vote now became an accident of geography. Shopkeepers and working men in unenfranchised towns had to meet the higher county rental qualifications, even though they were of similar socio-economic status to their



Left: 'To the Electors', an 1832 notice about the loss of voting rights.

The expansion of the UK's enfranchised population, 1801-1928

Year	UK electorate	% adult males	% increase
1801	503,640	16%	
1831	497,197	11%	
<b>1832 Great Reform Act</b>			<b>63%</b>
1833	811,443	18%	
1866	1,364,000	20%	
<b>1867 Second Reform Act</b>			<b>82%</b>
1868	2,477,713	34%	
1883	3,152,000	34%	
<b>1884 Third Reform Act</b>			<b>81%</b>
1885	5,708,000	62%	
1911	7,904,465	60%	
<b>1918 Representation of the People Act</b>			<b>170%</b>
1918	21,394,000		
<b>1928 Equal Franchise Act</b>			<b>35%</b>
1929	28,854,000		

counterparts in parliamentary boroughs where the household franchise was far more accessible. With urban growth causing enfranchised towns to spill over into the counties, these discrepancies between borough and county constituencies began to appear increasingly illogical and arcane. Sir George Trevelyan MP, who took up the question in 1874, found at least three million townspeople in England and Wales living in county seats. Yet, he argued, no one would say 'that a man who spins wool at Barnsley would make a worse voter than a man who spins it at Bradford'. The desire to rectify this anomaly, and to enfranchise rural workers such as miners and agricultural labourers, led to the franchise reforms of 1884. These established the same household and lodger franchises in counties and boroughs across the United Kingdom and were the first occasion on which Irish and Scottish electors were treated on the same basis as English and Welsh voters.

Despite this major reform, the UK's electoral system was still far from one in which every man had a vote. More imbalance was created by the fact that some individuals possessed multiple votes. By 1910 there were around 550,000 'plural voters', with property entitling them to vote in more than one constituency, or who had an additional vote for a university seat. These numbers, however, were a drop in the ocean compared with the 40 per cent of the adult male population who failed to make it on to the electoral registers. Like today, those specifically prohibited from voting included peers, criminals, lunatics, aliens and certain election officials. Voters receiving poor relief continued to be excluded from electoral participation. A far greater number, however, were not among these groups, but single men living with their parents, lodgers renting rooms worth less than £10 per year, domestic servants living with employers and soldiers living in barracks, who failed to meet any of the property qualifications. Even those who did qualify for the householder or lodger franchise still had to overcome the hurdle of the one-year residence requirement. Given the high rates of residential mobility – 20 to 30 per cent of borough populations moved annually – this remained a major cause of disenfranchisement.

Underpinning the obstacles facing all







**A British woman votes for the first time in the General Election of 1918.**

potential electors was the complicated and costly yearly registration apparatus, which is estimated to have excluded around half of the five million men without the vote before 1918. Combined with the well-documented efforts of local parties to try to remove their political opponents from the electoral rolls in annual registration battles, it is easy to see why the voter registration system introduced in 1832 acted as such a barrier to enfranchisement before its replacement in 1918.

The 1918 Representation of the People Act was hugely important in terms of the partial enfranchisement of women. Yet just as significant was its major overhaul of the entire electoral qualification and registration system for all electors, regardless of their sex. By establishing a franchise that was based on a simple six-months' residence, it did away with all the complex rules and legal issues regarding property values, rate payments and tenancy status, along with the annual registration fee and registration courts, all of which were supposed to ensure voter 'respectability' and resulted in many men being denied the vote. Near-universal male suffrage was quickly established. However, as well as the requirement that they must be aged 30 or over, women continued to face the hurdle of a property-based franchise, with the stipulation that they or their husband must qualify as a local government elector. This meant occupying either 'land or premises' worth £5 a year, or a 'dwelling house'. Only with the 1928 Equal Franchise Act did women finally receive the vote on the same terms as men.

One last vestige of the old system remained in place. The retention of additional 'plural' votes for university graduates and occupiers of business premises provided an important reminder of earlier attitudes to representation: one in which some people were thought better qualified to vote than others and given greater electoral power. It was not until 1948 that this historic hangover from the past finally disappeared from Britain's electoral system.

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**Further Reading**

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**P. Salmon** 'The House of Commons, 1801-1911', in C. Jones (ed.) *A Short History of Parliament* (Boydell, 2009)

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