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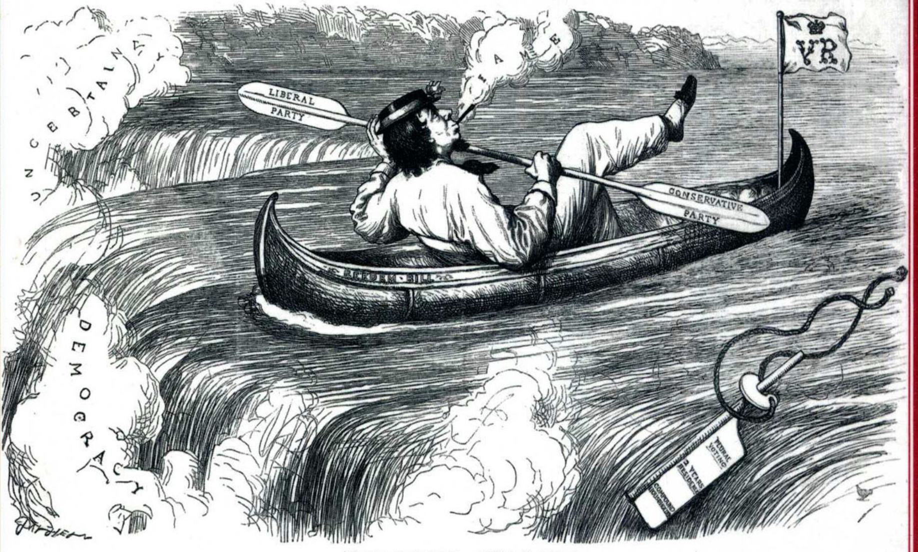
Democracy and the Vote in British Politics, 1848–1867

The Making of the Second Reform Act

ROBERT SAUNDERS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ROBERT SAUNDERS
St John's College, Oxford, UK

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List of Abbreviations

BL	British Library
BP	Bright Papers
CP	Carnarvon Papers
DH	Dep. Hughenden (Disraeli Papers)
DP	Derby Papers
EHR	*English Historical Review*
GGP	George Grey Papers
GP	Gladstone Papers
HJ	*Historical Journal*
LP	Lansdowne Papers
NRA	National Reform Association
PP	Palmerston Papers
RP	Russell Papers
TSSA	*Transactions of the Social Science Association*

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Introduction: Democracy and the Vote in British Politics

On 15 August 1867, Britain experienced a quiet revolution. As so often in British history, the scene was not a battlefield or a popular assembly but the Chamber of the House of Lords, where the Royal Commissioners had gathered to give the Assent to new legislation. The Queen herself was on holiday in the Isle of Wight, the Prime Minister, Lord Derby, was also absent, and 'the front Opposition and Treasury benches were entirely unoccupied'. As journalists drummed their fingers in the gallery, the Commissioners gave their approval to the Naval Knights of Windsor Bill, the Railways (Ireland) Bill and a series of minor statutes that have rarely troubled the historian. According to *The Times*, 'The proceeding was of the most formal and routine kind', and the whole transaction 'scarcely occupied five minutes'.[1]

Without fanfare and almost without notice, one of the most important statutes of the nineteenth century had passed into law. The Second Reform Act enfranchised a million new voters, doubling the electorate and propelling the British state into the age of mass politics. For the first time in British history it created a mass, working class electorate, recasting the relationship between Parliament and people and calling into life the institutions and practices of democratic politics. The world of the Second Reform Act was the world of the Caucus, the Primrose League and the Midlothian Campaign, a world in which ministers sought direct popular authority for their programmes. With the passage of the Second Reform Act, the power to make and unmake governments moved out of Parliament and into the constituencies, establishing the 'general election' as the crucible of political life. British politics had never been 'closed', but after 1867 the importance of popular politics grew exponentially. Parties built national organizations to mobilize support, while men like William Gladstone, Joseph Chamberlain and Randolph Churchill pioneered new methods of popular engagement.

The Reform Act marked the climax of a remarkable period of constitutional debate. In the fifteen years before its passage, seven different governments had tried to extend the franchise. Six tabled legislation and two fell as a result.

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[1] *The Times*, 16 August 1867, p. 6.

Reform was debated in Parliament, on the hustings and in the press, and was a major issue in successive general elections. The act itself marked the close of a two year political crisis, and was carried – against all expectations – by the Conservative government of Lord Derby and Benjamin Disraeli. The Tories were still remembered for their resistance to the 1832 reform, and their hostility to any change worth having was part of the Liberal creed. They had opposed Liberal reform bills in 1852, 1854, 1860 and 1866, and Derby had expected the last of these to 'extinguish the Conservative party' for a generation. Mass politics was an unlikely achievement for a party whose hostility to democracy was a by-word, and whose animating principle was defined by Gladstone as 'mistrust in the people, only relieved by fear'.[2]

Books on 'modern British politics' commonly begin in 1867, in acknowledgement of the new political world it brought about.[3] It is surprising, then, that so little attention has been paid to the Reform Act itself. The standard texts on 1867 are nearly half a century old, and the best recent history of Victorian politics concludes that 'little new has been said, or needed saying' subsequently.[4] Historians take for granted that the roots of the First Reform Act, or of women's suffrage, lie years or even decades earlier, but the reform debate in the 1850s is dismissed as 'a corpse', 'rich only in the ability to irritate and to bore'; a rhetorical 'humbug' that was 'sadly ineffectual' in shaping legislation.[5]

Yet the constitution sat at the very heart of British political life. It gave parties their identity, popular movements their platform and Parliament its defining issues. It was a rallying point for popular patriotism, the preservative of liberties enjoyed by no other European country.[6] A stream of politicians wrote constitutional treatises. Lord John Russell penned *An Essay on the History of the*

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[2] Derby to Carnarvon, 8 May 1866, Carnarvon Papers, British Library Add MS 60765, fol. 32; *The Times*, 2 June 1865, p. 5.

[3] Notably Martin Pugh, *The Making of Modern British Politics, 1867–1945* (Oxford, 1983/2002); J. Belchem, *Class, Party and the Political System in Britain, 1867–1914* (Oxford, 1990); Jon Lawrence, *Speaking for the People: Party, Language and Popular Politics in England, 1867–1914* (Cambridge, 2002).

[4] F.B. Smith, *The Making of the Second Reform Bill* (Cambridge, 1966); M. Cowling, *1867. Disraeli, Gladstone and Revolution: The Passing of the Second Reform Bill* (Cambridge, 1967); J. Parry, *The Rise and Fall of Liberal Government in Victorian Britain* (London, 1993), p. 372.

[5] K.T. Hoppen, *The Mid-Victorian Generation, 1846–1886* (Oxford, 1998), p. 237; Smith, *The Making of the Second Reform Bill*, p. 31.

[6] See B. Porter, '"Bureau and Barrack": Early Victorian Attitudes towards the Continent', *Victorian Studies*, 27 (1983–84); J. Parry, 'The Impact of Napoleon III on British Politics, 1851–1880', *Transactions of the Royal Historical Society*, 6th series, 11 (2001); J. Parry, *The Politics of Patriotism: English Liberalism, National Identity and Europe, 1830–*

English Government and Constitution from the Reign of Henry VII to the Present Time, Benjamin Disraeli wrote *A Vindication of the English Constitution in a Letter to a Noble and Learned Lord*, while W.E. Gladstone published a treatise on *The State in its Relations with the Church*. Thomas Macaulay and Henry Hallam wrote constitutional histories, and there was a prodigious literature on French and American democracy. It was the age of Bagehot's *The English Constitution*, Mill's *Considerations on Representative Government*, as well as scores of now forgotten works from across the political spectrum.

This was not dusty antiquarianism but practical politics. Constitutional reform was fraught with peril, and it shaped the fortunes of a generation of public men. Russell's pursuit of reform cost him the Liberal leadership in the 1850s, while Disraeli's success in 1867 confirmed him as the heir to the Conservative throne. It played a key role in the reconstruction of the Conservative party and was central to the power struggle between Palmerston and Russell. Reform touched what Disraeli called 'the most important question of politics', the 'distribution of political power' within the state.[7] It lay at the heart of the political and intellectual history of the nineteenth century, with implications not merely for the electoral system but for almost every major issue in Victorian politics.

Progress, Popular Politics and the Flexible Constitution

The British were very proud of their constitution, though they understood different things by it. For the political elites by whom it was operated, Britain possessed a 'matchless constitution', the 'most perfect' ever devised, for it had raised the country over which it presided into 'the freest, the happiest, the most powerful nation of the universe'.[8] For radicals and democrats, and those on the margins of public life, it served as an ideal standard against which governments could be held to account, providing a patriotic basis for oppositional politics.[9]

1886 (Cambridge, 2006); Peter Mandler, *The English National Character: The History of an Idea from Edmund Burke to Tony Blair* (New Haven, 2006).

[7] *Hansard's Parliamentary Debates* (hereafter: *Hansard*) 185, 11 February 1867, 215, 232.

[8] John Russell, *An Essay on the History of the English Government and Constitution from the Reign of Henry VII to the Present Time*, 2nd edition (London, 1823), pp. xii, 2; Sir Robert Peel, *Hansard* 7, 21 September 1831, 458.

[9] James Vernon, *Politics and the People: A Study in English Political Culture, c. 1815–1867* (Cambridge, 1993), ch 8. For the Constitution as an 'imaginary model of excellence which the government has never, in fact, attained, though in the writer's or speaker's opinion it has constantly been tending to it', see G. Cornewall Lewis, *Remarks on the Use and Abuse of Some Political Terms* (London, 1832), p. 4.

As George Dyer observed wryly in 1812, 'We have at present three predominant parties in the country ... Yet they all talk of rallying round the Constitution, like different religious sects, who all appeal to the same code'.[10]

That view was gently satirized by Charles Dickens in his novel *Our Mutual Friend*. 'We Englishmen', explained Mr. Podsnap, 'are very proud of our Constitution. It was bestowed upon us by Providence'.[11] It was no coincidence that the audience for this remark was 'a Foreign Gentleman', for the prestige of the British constitution fed off the experience of other states. Victorians knew how easily a constitution could collapse because they had seen it happen: not in the 'failed states' of the Third World, but in advanced, Western societies that were recognizably similar to their own. The period covered by this book began with the Continental revolutions of 1848 and closed with the American Civil War. The intervening years saw the collapse of the Second Republic in France and the plebiscitary dictatorship of Napoleon III. At a time when 'the maintenance of society at all' seemed 'a very difficult task', the stability of the British constitution was both precious and unique.[12]

Britain itself was undergoing severe and dislocating social change, bringing all forms of authority into question. Sir James Mackintosh told MPs in 1831 that 'the social revolution of the last sixty years [had] altered the whole condition of men more than the three centuries which passed before'.[13] Over a single lifetime, villages had erupted into cities, while new classes emerged with the wealth and ambition to challenge older elites. Urbanization had created new concentrations of poverty and disease, vulnerable at any moment to the volatile fortunes of the trade cycle. Whether government was even possible under such conditions remained uncertain. As Sir Robert Peel remarked, industrial society doomed 'numberless millions' to 'perpetual labour, absolute ignorance, and sufferings as impossible to remedy as they are undeserved'. 'The soil of Europe is deeply undermined; is that of England herself unshakeable?'[14]

That question received an answer of sorts in 1848, when the Continent exploded into revolution. Britain's relative tranquillity prompted widespread jubilation, and carried the prestige of British governance to its zenith. As Thomas Macaulay told his constituents in 1852, Europe had been visited by 'a storm such as there was none like it since man was on the earth; yet everything tranquil

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[10] G. Dyer, *Four Letters on the English Constitution* (London, 1812), p. 4.

[11] Charles Dickens, *Our Mutual Friend* (1864–5), A. Poole, (ed.) (London, 1997) p. 137.

[12] J.S. Mill, 'Coleridge', *The Westminster Review*, 33 (1840), p. 277.

[13] *Hansard* 4, 4 July 1831, 678.

[14] Comte de Jarnac, 'Sir Robert Peel, d'après des souvenirs personnels et des papiers inédits', *Revue des Deux Mondes*, 3^e Période, (1874) tom. IV, p. 314 (author's translation).

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here'. 'We owe this singular happiness, under the blessing of God, to a wise and noble constitution'.[15]

This was not, however, a recipe for immobility. The constitution the Victorians so admired was a dynamic, not a static, entity, and this made it peculiarly vulnerable to reforming currents. As Macaulay famously observed, the history of England was 'emphatically the history of progress', a tale of 'constant change in the institutions of a great society'. From the 'Charter of Henry Beauclerk' to the Reform Act of 1832, this was a story constructed not on timeless institutions but on a governing ethic that prized fluidity and change.[16] In Russell's words, it was,

> a part of the practical wisdom of our ancestors, to alter and vary the form of our institutions as they went on; to suit them to the circumstances of the time, and reform them according to the dictates of experience. They never ceased to work upon our frame of government, as a sculptor fashions the model of a favourite statue.[17]

The historian Edward Creasy, in a treatise on *The Rise and Progress of the English Constitution*, credited his subject with a 'plastic power of self-amelioration', which distinguished it from the obtuse resistance of continental governments. Britain alone had reconciled order with progress, learning to *reform* in order that she might *preserve*.[18]

For this reason, reform held a special place in the imagination of British politics. As late as 1905, the Austrian political scientist Josef Redlich was struck by the 'irresistible instinct' of British statecraft 'for the constant development of its institutions', while a Tory writer claimed in 1912 that 'its most interesting and perhaps its most important feature is its elastic adaptability'. The idea of an organic constitution, expanding and adapting to changed conditions, allowed reformers to sanitize even radical change, by subsuming it within a reassuring historical continuum. As the same writer observed, it permitted reformers to justify their demands 'by strictly constitutional arguments and to represent revolution as being in some sense a reversion to ancient principles'. Sir George Cornewall Lewis put it more bluntly: such rhetoric could 'deceive ignorant persons into a belief that a measure or law recommended to them is only a recurrence to ancient institutions, and that the change is restoration, and not innovation'.[19]

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[15] Thomas Macaulay at Edinburgh, 2 November 1852, *The Works of Lord Macaulay*, Lady Trevelyan (ed.) (8 vols, London, 1873), vol. 8, p. 418.

[16] Thomas Macaulay, 'Sir James Mackintosh' (1835), *The Works of Lord Macaulay*, vol. 6, p. 95.

[17] Russell, *An Essay on the History of the English Government and Constitution, from the Reign of Henry VII to the Present Time*, pp. 18–19.

[18] E.S. Creasy, *The Rise and Progress of the English Constitution* (London, 1853), p. 6.

The idea of British exceptionalism, based on a unique proclivity for change, was especially potent after 1848. It was a commonplace, even among 'Tories of the old school', that 'the Reform-bill has saved this country from civil commotion'.[20] Addressing a public dinner in Scotland, Russell invited his audience to imagine what would have happened in 1848 had the rotten boroughs and the Corn Laws remained in place. How then would Britain 'have met that revolution which was attempted to be made'?[21] For Russell, the Whig ambition of reforming to preserve was as relevant as ever; 'the best way to preserve their institutions was to do away with the exclusiveness that heretofore prevailed'.[22]

This embedded a particular memory of the Reform Act as a wise response to social change. As Walter Bagehot put it in 1860, the unreformed system had failed to respond adequately to the rising middle class or to the redistribution of wealth and power it carried with it. 'Change so momentous', he opined, 'required and enforced an equivalent alteration in our polity', for a 'Constitution which was adapted to the England of 1700 must necessarily be unadapted to the England of 1832'.[23] As a history of the Reform Act, this left something to be desired; but it had important implications for Bagehot's own time. Whatever their veracity, such arguments were obviously vulnerable to further social change, whether real or imagined, and in particular to the reimagining of the working man.

The second reform period coincided with a drastic rethinking of working-class character, which slowly dismantled the image of the working man as a dangerous and subversive force. Starting in 1848, with the rallying of the special constables, a section of the working class was reimagined as sober, loyal and manly, embodying the finest attributes of national character. The Great Exhibition of 1851, intended to shake the complacency of British manufacturers, became instead the embodiment of a new social satisfaction, structured around a pride in the good order of the crowds who visited it. By the 1860s, the Chartist incendiary had been superseded in the popular imagination by the tranquil and improving working man, who vested his savings with the Post Office and endured patiently the sufferings of the cotton famine. In the 1830s, the Home Office had been seriously alarmed by reports that Chartists were acquiring military knowledge; yet by the 1860s, the Volunteer movement was providing working men not only with a military training but with weapons to keep in their homes. Politicians never tired of enumerating the working men's clubs and lending libraries springing up around the country, or of lauding the sober political consciousness which eschewed agitation in favour of self-improvement. There was a degree of wishful thinking here, for Victorian society was often volatile and frequently violent. Poverty remained endemic and relations between labour and capital were often fraught. Discontent was not, however, commonly directed against the constitution, and the bitter enmities of the 1840s seemed as distant as the House of Stuart.

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[19] J. Redlich, *The Procedure of the House of Commons: A Study of its History and Present Form*, trans. A.E. Steinthal, (3 vols, London, 1908), vol. 1, p. xxvii; Lord Hugh Cecil, *Conservatism* (London, 1912), pp. 219–22; Lewis, *Remarks on the Use and Abuse of Some Political Terms*, p. 5.

[20] 'Current History', *Fraser's Magazine*, 37 (1848), p. 475.

[21] *The Times*, 27 September 1852, p. 7.

[22] *Hansard* 109, 4 March 1850, 336–7.

[23] Walter Bagehot, 'The History of the Unreformed Parliament', *The Collected Works of Walter Bagehot*, N. St-John Stevas (ed.), (15 vols, London, 1965–86), vol. 6, pp. 283–84.

This produced a paradoxical result. On the one hand, the decade after 1848 saw a steep decline in popular pressure for reform. The suffocation of successive reform bills roused little public interest, and in 1853 Richard Cobden told John Bright that he was 'sick' of attempts to create 'the semblance of an agitation which don't exist'.[24] As Peel had intended, the free trade reforms of the 1840s helped to disassociate government from responsibility for prices and wages. Reforms in the tax system undercut the critique of the state as the 'great tax guzzler'; and the monarchy and army became increasingly popular institutions.[25] But as pressure from below declined, support for reform *within* Parliament became increasingly widespread. By 1859, all parties in the state were committed to reform, disagreeing rather on points of detail than on the principle of change.[26]

In this respect, the relationship between Parliament and people in the reform debate went beyond mere physical pressure. As the Chartists could testify, the British state was capable of resisting even large-scale agitation. For ten years after 1838, it had faced down the biggest suffrage movement in British history, showing a resolution that few Continental regimes could match. Nonetheless, the state's capacity to resist the Chartists depended not only on its military resources but on its ability to delegitimize Chartism as a popular movement.[27] For a broadly aristocratic system, the reverence expressed by all parties for 'public opinion' was quite remarkable. Whiggism had at its core a belief that 'The Constitution of Great Britain is established on the consent and affection of the People', and it was a legal fiction, endorsed by Sir William Blackstone, that the authority of the law rested on the direct assent of the people: 'every man in England [was], in judgement of law, party to the making of an act of parliament, being present thereat by his representatives'.[28] Even during the crisis over the Reform Bill, Peel had not argued that the people had no *right* to demand reform, but that they would *cease* to do so given time for reflection.[29] This populist rhetoric, and the celebration of reform as a national tradition, made British politics peculiarly vulnerable to reforming movements. If it could be proven that a large section of the population desired the franchise, and was fit to exercise it, parties would have to work hard to justify inaction.

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[24] Cobden to Bright, 8 January 1853, Cobden Papers, British Library Add MS 43650, fol. 3.

[25] For reform of the tax system, see M. Daunton, *Trusting Leviathan: The Politics of Taxation in Britain, 1799–1914* (Cambridge, 2001).

[26] K. Zimmerman, 'Liberal Speech, Palmerstonian Delay, and the Passage of the Second Reform Act', *EHR*, 118 (2003).

[27] I discuss this further in R. Saunders, 'Chartism From Above: British Elites and the Interpretation of Chartism', *Historical Research* 81 (2008).

Why, then, did reform take so long to achieve? The first problem was institutional, involving what Gladstone called 'the declining efficiency of Parliament'.[30] The repeal of the Corn Laws had produced a chronic dislocation of party, which was exacerbated by the fracture between Palmerston and Russell in 1852. Major legislation of any kind was fairly scarce in these years, and the usual techniques of party management had little purchase on reform. MPs had often spent considerable sums contesting their seats, and they were wary of changes that might endanger their position. Unless public opinion were inflamed, they could rely on the support of their constituencies, for small boroughs were unlikely to vote for their extinction and existing voters were often reluctant to dilute their power.

Secondly, there was no consensus on the *kind* of change desirable. Reform was infinitely variable and could operate to quite opposite effects. Depending on *who* was enfranchised and *where*, it could turn a rural constituency into an industrial one or swamp a manufacturing town with agricultural votes. It could reorder the political influence of a range of identities and interest groups – north and south, church and chapel, rich and poor – and determine the balance of parties for a generation. Liberals feared that the 1859 bill would 'virtually place the borough representation in [Tory] hands', while Derby believed that the 1866 bill would 'extinguish the Conservative party for the next 20 years'.[31] An MP who supported reform on the hustings, but opposed a particular bill in

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[28] L. Mitchell, *The Whig World, 1760–1837* (London, 2005), p. 140; Sir William Blackstone, *Commentaries on the Laws of England* (4 vols, London, 1800), vol. 1, p. 186.

[29] *Hansard* 3, 21 April 1831, 1774.

[30] W.E. Gladstone, 'The Declining Efficiency of Parliament', *The Quarterly Review*, 99 (1856).

[31] *Hansard* 153, 22 March 1859, 535 (Wilson); Derby to Carnarvon, 8 May 1866, CP 60765, fol. 32.

Parliament, was not necessarily inconsistent, for legislators took their stand not on the *principle* of change, but on the *kind* of change they thought desirable. A reform bill could only be judged on its details, since it was these that would determine the shape of the future electorate.

The Problem of Democracy

Above all, reformers faced an intellectual challenge in the form of democracy. It is tempting to assume that reformers, if not democrats themselves, were at least on a trajectory towards democracy; that the reformer and the democrat were fellow travellers on the same road. This was certainly an allegation made by their critics, but it was repudiated by all but the most extreme reformers. For Lord John Russell, the father of the first Reform Act, universal suffrage was 'the grave of all temperate liberty, and the parent of tyranny and licence'. Benjamin Disraeli, who steered the Second Reform Act through Parliament in 1867, stressed throughout that it must 'never be the fate of this country to live under a democracy'. Even John Bright, radical populist and self-styled 'tribune of the people', wished to exclude the 'residuum' and disclaimed any aspirations to democratic politics.[32]

Yet 'democracy', as a word, had no stable meaning. As John Morley grumbled in 1867,

> The notions which cluster round this memorable term are indescribably various. Old ladies, if you tell them that democracy is coming on apace, think dreamily of the guillotine and Marie Antoinette. Others suppose in a vague way that its arrival will cause Mr. Gladstone [and] Mr. Disraeli ... to chew tobacco, and to shoot at one another across the House with revolvers.[33]

At different times and in different hands, democracy could be a system of government, a condition of society or a particular class, comprised of the poorest members of society. Even the first of these had many variants. Democratic government had its origins in the Ancient World, but classical authorities disagreed among themselves whether it meant the government of the *poor* or the government of the *many*.[34] In modern times it was associated chiefly with France and America, but in both cases the democratic franchise was almost impossible to separate from a wider social egalitarianism.

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[32] Russell, *An Essay on the History of the English Government and Constitution from the Reign of Henry VII to the Present Time*, p. 352; Disraeli, *Hansard*, 186, 18 March 1867, 7; Asa Briggs, *Victorian People: A Reassessment of Persons and Themes 1851–67* (London, 1954), p. 211.

[33] J. Morley, 'Young England and the Political Future', *The Fortnightly Review*, 7 (1867), p. 493.

Radical reformers fought hard to distinguish the two, treating an extended franchise as something quite alien to 'democratization'. Urging a new franchise in 1835, Richard Cobden assured his readers that 'Democracy', in its social sense, formed 'no element in the materials of English character'. The Englishman was, 'from his mother's womb, an aristocrat', possessed of an 'insatiable love of caste', that inoculated him against equality.[35] Gladstone, too, stressed the 'very different senses' in which 'democracy' might be used:

> If by democracy be meant the extension to every man in his own sphere of every privilege and of every franchise that he can exercise with advantage to himself and with safety to the State – then I must confess I don't see much to alarm us in the word democracy. But if by democracy be meant the enthroning of ignorance against knowledge, the setting up of vice in opposition to virtue, the disregard of rank ... then, gentlemen, I for one – and I believe for all I have the honour to address – am in that sense the enemy of democracy.[36]

Nonetheless, commentators persistently elided these usages. Even Robert Lowe, a classical scholar and stickler for the precise use of terms, slid easily between the critique of equality and a critique of mass politics. Condemning a £7 franchise in 1866, he warned that,

> Democracy you may have at any time. Night and day the gate is open that leads to that bare and level plain, where every ant's nest is a mountain and every thistle a forest tree. But a Government such as England has, ... this is a thing which ... once lost, we cannot recover.[37]

This elision of social and political usages was not simply a confusion of terms. It articulated a conviction that the two were intrinsically connected, because of the assumptions on which a democratic franchise was based. A franchise that gave equal weight to every man in the country, regardless of wealth or ability, which rejected the superior claims of talent, education or hereditary service, was *in itself* a 'levelling' measure, that undermined all other claims to hierarchy. As Thomas Carlyle put it, in a vicious assault on the Conservative government, the

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[34] Lewis, *Remarks on the Use and Abuse of Some Political Terms*, pp. 84–8.

[35] Richard Cobden, *England, Ireland and America* (London, 1835), p. 34.

[36] *The Times*, 7 April 1866, p. 9.

[37] R. Lowe, *Speeches and Letters on Reform with a Preface* (London, 1867), p. 212.

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