

The British Representation of the People Act. On the evening of February 6, 1918, a measure which history may pronounce more momentous than any other passed by the British Parliament since the beginning of the present war was given the royal assent. It was not by choice that the ministry and the two houses turned their attention to electoral questions while the nation was yet fighting for its life within hearing of the Channel ports. Rather, they were compelled to do so by the sheer breakdown of the electoral system, caused by wholesale enlistments in the army and by the further dislocation of population incident to the development of war industries. The situation was bad enough in county, municipal, and parish elections. But a parliamentary election under the new conditions would have been a bald anomaly. By general consent the life of the Parliament chosen in December, 1910, has been prolonged, in order to defer, and perhaps to avoid altogether, a war-time election. A general election, however, there must eventually be; and whether before or after the cessation of hostilities, it would demand, in all justice, a radically altered system of registration and voting, if not new franchises and other important changes. Parliament acted wisely, therefore, in addressing itself to this great task, and in entrusting the preliminary consideration of a new electoral law to an extraordinary commission, chosen by the speaker of the house of commons and presided over by him, and constituted with much care to represent in proper proportion not only the parties and groups in Parliament but the various bodies of public opinion on electoral questions throughout the United Kingdom.

This "Speaker's Conference," consisting of thirty-six members from both houses, began its work October 10, 1916. Its report was presented to the house of commons in the following March, and on May 5 a bill based upon its recommendation was introduced as a government measure. Debate proceeded intermittently until December 7, when the bill, considerably enlarged, was passed and sent up to the house of lords. Here, seventeen days were devoted to the project, and on January 30, 1918, the measure was returned to the house of commons with eighty-seven pages of amendments. At least one of the proposed changes—that providing for proportional representation—was of a highly contentious nature; and, momentarily, the total failure of the bill, with the possibility of a constitutional crisis, loomed ominously. Happily, pressure of time made for compromise, and on February 6 the houses came into agreement upon a completed measure, which forthwith received the king's assent.

The Representation of the People Act is primarily a piece of suffrage legislation. Yet it is a great deal more than that. Upon the basis of a doubled electorate it erects an electoral system which is almost entirely new; and the measure itself is to be thought of as a general electoral law, more comprehensive and far-reaching than any kindred act in English history. Its principal features may be summarized as follows:

1. *Manhood suffrage—plural voting.* Effort to adapt electoral machinery to the conditions entailed by the war early convinced the Speaker's Conference that the old practice of defining franchises in terms of relationship to property would have to be discontinued, and that in lieu thereof it would be necessary to adopt the principle that the suffrage is a personal right inherent in the individual. In pursuance of this revolutionary decision, the act swept away the entire mass of existing intricate parliamentary franchises and extended the suffrage to all male subjects of the British crown twenty-one years of age or over, and resident for six months in premises in a constituency, without regard to value or kind.

Liberal reformers have long urged the abolition of plural voting, and since 1905 several bills for that purpose have passed the house of commons. Many persons supposed that the principle of "one man, one vote" would now prevail. Events proved the contrary. In the first place, the university franchise, which has long been under fire and which the government electoral bill of 1912 proposed to abolish, was retained. Indeed it was considerably broadened, first by extending the right of separate representation to several of the younger provincial universities, and, second, by conferring the university franchise upon all persons who have obtained a degree of any kind, rather than, as at Oxford and Cambridge heretofore, merely upon recipients of the degree of M.A. In the second place, a man may acquire a vote in a constituency other than that in which he votes as a resident, by the occupation and use for business purposes of premises worth £10 or more a year. The Conservative elements insisted upon these arrangements as means of preventing the submerging of the more wealthy and more educated part of the electorate. But the Liberals triumphed in so far as to procure a stipulation that no person may vote at a general election in more than two constituencies.

2. *Absent and proxy voting—soldiers and sailors.* The main immediate purpose of the act is to bring back into the electorate the millions of men whose war service temporarily disfranchised them under

the old system. Accordingly, full provision is made for the registration of soldiers and sailors as electors in their home constituencies. If within reasonable distance, the elector of this class may personally vote at a general election, receiving and returning his ballot-paper by post. If the distance be such as to involve too great delay, the elector may designate some person at home to act as his proxy and vote in his behalf. Furthermore, the voting age for all men who have rendered military or naval service in the present war is fixed at nineteen, rather than twenty-one. Provision is made, too, for absent-voting irrespective of war service, thus liberating from practical disfranchisement many thousands of merchant seamen, commercial travelers, fishermen, and other men whose occupations keep them away from their homes.

3. Woman suffrage. The withdrawal of the profusely amended government electoral bill of 1912 was a hard blow to woman suffrage, and the outbreak of the war in 1914 seemed to end all hope of early legislation on that subject. The effect of the war was, however, precisely the opposite of that expected. Within two years and a half the conflict brought the suffragists an advantage which no amount of agitation had ever won for them, i.e., the official support of the government, and a few months more carried their cause to a victorious conclusion which would hardly have been reached in a full decade of peace. There were two main reasons for this turn of events. One was the necessity which the war imposed of undertaking a wholesale revision of the electoral system, leading to the decision to base the franchise upon personal right rather than property relationship, and inevitably suggesting an equality in rights, as individuals, of women with men. But the fundamental reason brought forward by the war for enfranchising women was the great variety and value of women's services to the nation during the conflict. This was the thing that won over thousands of former opponents, from Mr. Asquith down. It soon became manifest that a majority of the conference and of both houses of Parliament stood ready to admit women to the franchise; only the method, the time, and the extent were seriously in dispute. On June 19 the house of commons adopted the proposals of the conference, somewhat amended, by a vote of 387 to 57. As finally passed, the act conferred the franchise upon every woman over thirty years of age who occupies a home, without regard to value, or any landed property of the annual value of £5, of which either she or her husband is the tenant. A woman may vote also for a university member if she is a graduate of a university that confers degrees on women, or if she has qualified for a degree in a university that does not admit women to degrees.

The effect of the foregoing legislation is to double the British electorate at a stroke. The reform act of 1832 created half a million new electors, raising the proportion of electors to the total population to one in twenty-four; the act of 1867 created a million electors, raising the proportion to one in twelve; the act of 1884 added two million electors, making the proportion one in seven; the act of 1918 adds eight millions, bringing the proportion up to the remarkable figure of one in three. Of the eight million new voters, one-fourth are men and three-fourths women.

No strong objection was raised to the enfranchisement of the two million men. But the provisions of the act relating to women were vigorously opposed. All of the old anti-suffrage arguments—that woman's sphere is the home, that women do not want the ballot—were brought to bear; and it was especially urged that a measure of the present nature, whatever its intrinsic merits, ought not to be passed under the circumstances existing.

Still other objections were: (1) that six million inexperienced women voters ought not to be added to the electorate at precisely the time when the problems of war, peace, and reconstruction were to make unprecedented demands upon the electoral capacities of the country; (2) that, in the words of Mrs. Humphry Ward, the act would "cripple disastrously the indispensable conservative forces of the country at a time when there is the most imperative need of a due balance between conservative and liberal principles and influences;" (3) that the wholesale enfranchisement of women was dictated largely by the Labor party, which expects to turn the new stream of electoral power to its own advantage; and (4) that while the present measure is so drawn as to keep male voters in the majority, the age disparity between men and women will hardly outlast another parliament, and that when the inevitable equalization takes place women voters will be in a majority by upwards of two millions. In support of this last contention it may be added that the National Union of Woman Suffrage Societies has already officially announced its purpose to make the lowering of the female age limit its next achievement.

4. *The local electorate.* As the bill left the Speaker's Conference it somewhat absurdly gave the parliamentary franchise to six million women without in any degree extending the woman's local government electorate, which stood at about one and one-fourth millions. In the house of commons suffragists and anti-suffragists united to carry, without a division, an amendment conceding the municipal

franchise to female parliamentary electors, in addition to the existing women rate-payers. To the new female electorate in local governments belongs, therefore, (1) every woman twenty-one years of age who for six months has occupied premises in her own right, and (2) every woman who is the wife of a man so occupying, provided she is thirty years of age.

5. *Redistribution of seats—proportional representation.* The redistribution act of 1885 made the parliamentary constituencies only approximately equal, and since that time inequalities have steadily grown. In its bill of 1912 the Asquith ministry made no provision for redistribution, saying that redistribution would be feasible only after the new franchise arrangements should have been fully determined. The act of 1918, however, brackets redistribution with franchise reform. It provides for one member for every 70,000 inhabitants in Great Britain, and one for every 43,000 in Ireland. It allots to the London boroughs 62 members (a gain of 3); to other boroughs, 258 members (a gain of 33, 44 old boroughs being abolished and 31 new ones created); to counties, 372 (5 less); and to universities 15 (6 more). The total membership of the house, formerly 670, thus becomes 707, apportioned by countries as follows: England, 492 (31 more); Wales, 36 (2 more); Scotland, 74 (2 more); Ireland, 105 (2 more). It will be observed that the disproportionate representation of Ireland is continued. But it is understood that the Irish quota is subject to change when the home rule question shall be finally settled.

The Speaker's Conference recommended that there be substituted for the single-member constituencies that have generally prevailed since 1885 a system of large constituencies returning several members under a plan of proportional representation. The house of commons rejected this proposal, in one form or another, three times before the bill went to the house of lords. The latter re-incorporated it, and during the closing stages of the debates the commons had occasion twice more to vote in disapproval of the innovation. The upper chamber proving inflexible, the bill was finally saved by a clause providing that commissioners should be appointed to prepare a plan for the election of one hundred members on the principle of proportional representation in town and country areas combined into constituencies returning from three to seven members; the plan not to take effect, however, until specially approved by both houses of Parliament. Proportional representation is applied outright to university constituencies returning two or more members. If it be thought strange that the conservative

upper chamber should hold out so strongly for a novel, untried scheme, it must be remembered that the forces of conservatism felt that they were about to be inundated, and that proportional representation is conceived mainly in the interest of minorities. The Unionists in the house of commons seem to have been less apprehensive, for on five occasions they aided heavily in defeating the proposal.

6. *Other electoral changes.* The act revises the entire system of registration of voters. The register in each parliamentary borough and county is to be made up twice a year instead of but once, and responsibility for the work is placed upon the town clerks and clerks of the county councils. Registration has hitherto been a difficult and expensive process, but it is expected that, notwithstanding the doubling of the electorate, the simplification of the franchise will make the task far easier than before. Another change, and one that will give parliamentary elections an entirely new aspect, is the limitation of all polling at a given election to a single day. The former system, under which polling was drawn out through a period of approximately two weeks and returning officers exercised considerable discretion (sometimes with party ends in view) in fixing the polling dates in the various constituencies, lent itself peculiarly to plural voting, seriously interrupted business, and was otherwise open to objection. Limitation of plural voting removed the chief purpose of the old system.

The Corrupt and Illegal Practices Act of 1883 fixed, upon a sliding scale in proportion to the number of voters in the constituency, the maximum electoral expenditure of parliamentary candidates. It has been felt for some time that the amounts allowed were so large as to give an undue advantage to candidates of means. On this account, and for the further reason that the doubling of the electorate would have automatically increased the sums that might be legally expended, the new law sets up a new and reduced scale. In county constituencies the maximum expenditure (aside from a small agent's fee) is 7 pence per elector, and in borough constituencies 5 pence. The act, however, puts the returning officers' expenditures (for ballot-papers, clerk hire, printing, travel, etc.) upon the public funds, thus relieving the candidates of a considerable burden. Finally may be mentioned the novel requirement, intended to prevent an undue multiplicity of candidates, that every person offering himself for election to Parliament shall deposit £150, to be returned to him if he obtains more than one-eighth of the votes recorded, but otherwise to be forfeited.

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