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Veröffentlichungsversion / Published Version
Zeitschriftenartikel / journal article

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Empfohlene Zitierung / Suggested Citation:

Macinnes, A. I. (1989). Treaty of Union: voting patterns and political influence. *Historical Social Research*, 14(3), 53-61.
<https://doi.org/10.12759/hsr.14.1989.3.53-61>

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Treaty of Union: Voting Patterns and Political Influence

*Allan I. Macinnes**

The making of the Treaty of Union, which created the United Kingdom of Great Britain from 1 May 1707, remains an issue of political controversy (Smout 1963; Ferguson 1977; Riley 1978).

That an incorporating parliamentary union, which had been on the political agenda since 1702, was actually accomplished over five months in the last crucial session of the Scottish estates from 6 October 1706, can be attributed to various influences. Diplomatic brinkmanship, military intimidation and political manipulation on the part of the English ministry of Queen Anne were compounded by economic defeatism, financial chicanery and, above all, political ineptitude on the part of the Scottish estates. The concluding statement of the queen's commissioner, James Douglas, second duke of Queensberry, on 25 March 1707 that the Treaty would prove a visionary act of statesmanship (Thomson 1824, p. 491) should not obscure the view of historians - as distinct from politicians - that its making was primarily a self-inflicted act of political laceration which sacrificed national independence for material advancement.

A 50-field database has been constructed principally from primary sources to measure how, not analyse why, the Scottish estates voted themselves out of political existence (1). A separate record has been created for each of the 230 members cited in the parliamentary rolls (2). The database seeks to provide a comprehensive picture of political behaviour based on recorded voting divisions in the last parliamentary session of the Scottish estates rather than rely on voting samples which arguably move analysis away from historical patterns into the realms of mathematical probability.

As well as fields separately itemizing the name, the constituency and any remarkable features influencing voting for each member of the Scottish estates, coding has been resorted to for estate membership, parliamentary status, national party affiliation and the regional location of constituencies. The latter field has proved notably useful in identifying territorial influences in a unicameral parliament for which the franchise of commissioners from the shires and burghs as of nobles was inherently feudal.

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Because the Union was carried in the teeth of public opposition, the receipt of petitions from 15 out of the 33 shires and 21 out of the 67 royal burghs is denoted not only by a separate field but also by the insertion of a coded symbol within the field covering the next recorded voting division.

While at least one burgh commissioner was mandated to vote in favour of Union (Smout 1987, pp. 184-84), no petitions, as the Opposition pointedly commented, were forthcoming from the constituencies in its favour (Thomson 1824, pp. 386-87). Blatant disregard for the wishes of their constituents is the most identifiable response of shire and burgh commissioners. While petitions served to shore up the resolve of the Opposition, no member perceptively changed his voting pattern on receipt of a petition from his constituents.

Another symbol has been inserted into the relevant voting field to denote the timing of protests. Separate fields itemize the number of and the coding for protests against specific articles, amendments or procedures. Protests mounted overwhelmingly, but not exclusively, by the Opposition in their efforts to negate, alter and delay the passage of Union, serve as useful indicators for party activists. Only 80 members, 35% of the estates, failed to participate in protesting; albeit 78 members - 34% - protested on only one occasion, the vast majority - 64 members - in a counter-protest at the blocking tactics of the Opposition.

Separate fields have also been created to itemize the holding and spoils of office, principally to members of the Court and Squadrone Volante, the parties supporting an incorporating Union, whose predominance on the commission negotiating Union was carried over into the parliamentary committee charged to redraft or amend articles referred from the floor of the house. The monies advanced covertly by the English treasury, reputedly to meet arrears of salary, are itemized with respect to individual claims and actual payments. The £ 20,000 (£ 240,000 Scots) so advanced prior to the opening of the parliamentary session was seemingly used less to persuade members not to vote for Union as to shore up the votes of the Court and Squadrone. Although Queensberry as queen's commissioner did not have a vote, he received £ 12,325 - the bulk of the covert funding - which he certainly deployed to pay spies and agent provocateurs to enhance the aura of menace surrounding the last parliamentary session. In all probability, he also made discretionary but unrecorded payments to wavering members of the Court and Squadrone (Aufreere 1817, pp. 262-72); Riley 1969, pp. 408-527).

Particular attention has been given to the votes for each member in the 30 recorded voting divisions on articles, amendments and procedural disputes between the first vote on Union of 4 November 1706 and that on its ratification on 15 January 1707. As well as the total votes cast by each member, the division of votes for and against has been itemized and fur-

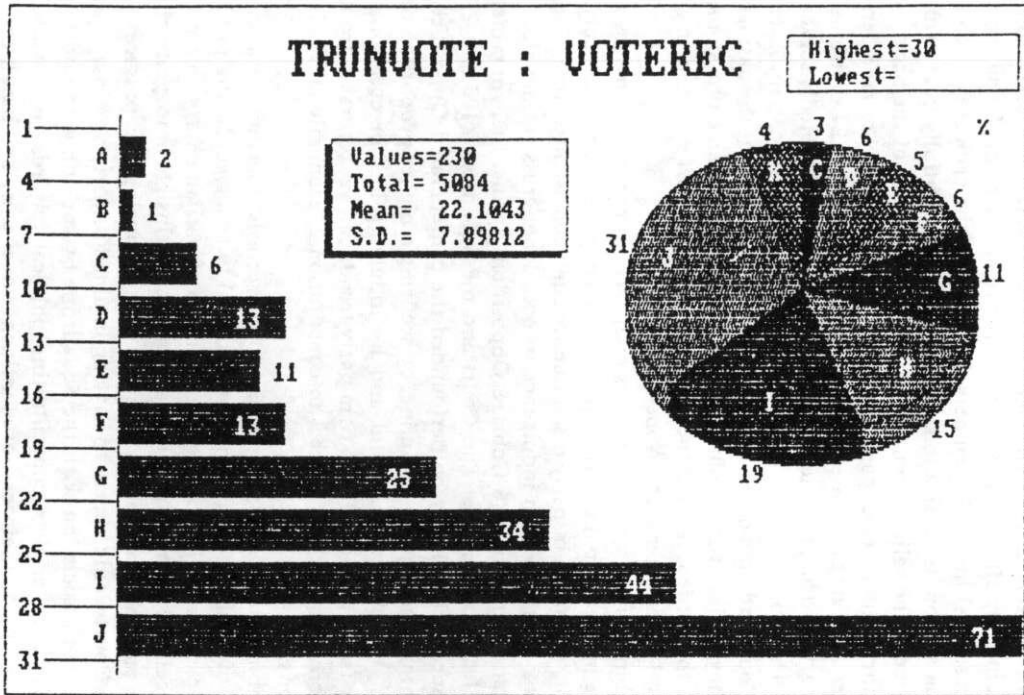


FIGURE 1

ther sorted into constitutional, economic and political divisions to facilitate identification of party consistency and cohesion as well as cross-party voting. Such sorting, though admittedly subjective, is clearly suggested by the nature of the relevant articles of Union (Thomson 1824, pp. 307-414).

Voting records reveal that only 10 members failed to vote in any division, 2 of whom were present throughout the parliamentary session but were constrained by office from voting. Of the remainder only 2 had their absence excused. Although 9 members abstained in the critical first vote on the Union and on its ratification, they did participate fitfully in interim voting divisions. The salient point about the voting record of the Scottish estates was the high degree of participation. The vast majority of members voted in over 20 divisions. An elite band of 71 voted in over 27 divisions.

That no party had an absolute majority in the house undoubtedly served as a political stimulant to the high degree of voting participation. Even where the Court and Squadrone combine consistently to effect the passage of Union, they achieved an absolute majority on no more than 6 occasions. Conversely, the confederated Opposition mustered support sufficient merely to carry 1 amendment (see Appendix 1).

The combination of voting and divisional records not only provides a comparative indicator to the parties' parliamentary performance - notably, their capacity to maintain party discipline through consistent voting - but also reveals a relatively high indulgence in occasional cross-voting; albeit no more than 14 members (6 Court, 8 Opposition) against their nominal party in at least 15 divisions. The Court and the Squadrone (103 and 27 activists respectively) clearly outperformed the confederated Opposition by maintaining higher party discipline, by securing a higher proportion of members in the elite voting band and by indulging less in occasional cross-voting (see Appendix 2). No firm party trends can yet be drawn from occasional cross-voting with respect to constitutional, economic and political divisions.

The combination of voting and divisional records, together with the application of double negative interrogation (5) to fields governing participation in protests, officeholding, membership of parliamentary committees and receipt of arrears, provides an innovatory insight into party cohesion not only between but within the parties during the passage of Union. The Court would appear to have maintained its party dominance as well as its close association with the Squadrone by spreading around the spoils of office rather than concentrating political rewards on powerful nobles and relying on their territorial influence over shire and burgh commissioners (Ferguson 1964, pp. 89-110). The converse of double negative interrogation, by revealing a high level of apparent offer as distinct from promise of reward or participation on parliamentary committees suggests a level of principled commitment to Union hitherto underplayed where not

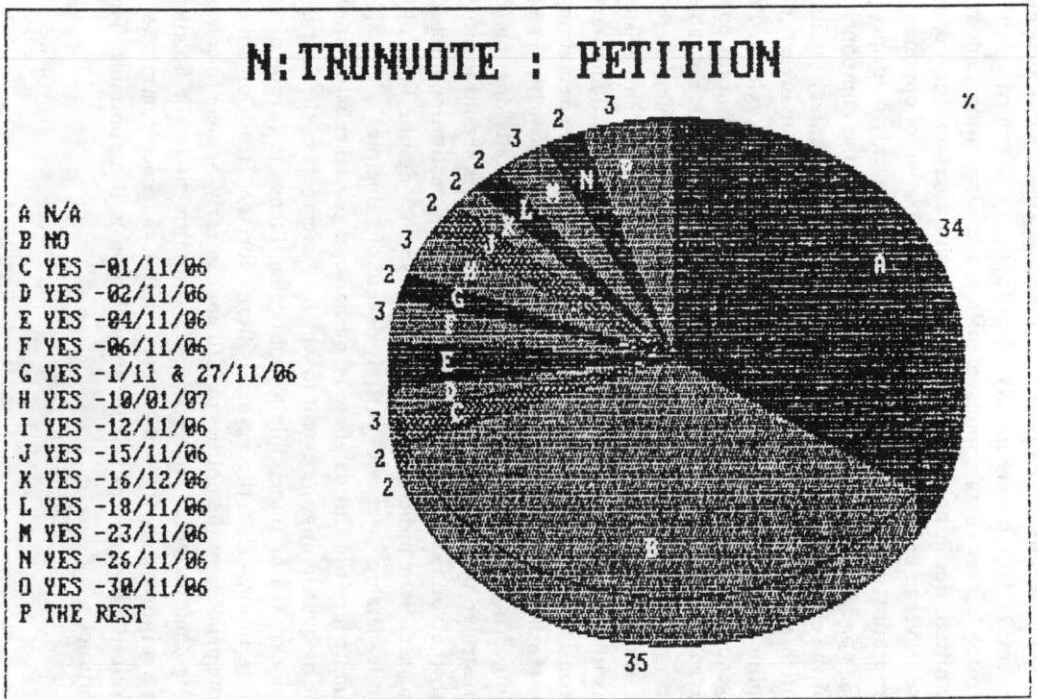


FIGURE 2

misidentified by historians (Robertson 1987, pp. 203-25). Of the 39 members who voted consistently and without any tangible inducement in favour of Union in more than twenty recorded divisions, no more than 24 participated in the counted-protest against the blocking tactics of the Opposition. It would seem rather dismissive, therefore, to presume that all such proponents of Union were merely lobby fodder or placemen.

Denied ready access to the spoils of office, the Opposition had demonstrable difficulties in holding their confederation together. Indeed, as the database serves to demonstrate, the simple categorization of opponents of an incorporating union as the Opposition Party is not only inadequate (Riley 1978, pp. 326-35), but misleading with respect to the component strengths of the confederated Opposition in the last parliamentary session of the Scottish estates (Ferguson 1977, pp. 180-96). In a clear breach of party discipline, 19 members identifiable as the Jacobites, who exhibited a high indulgence in occasional cross-voting and limited enthusiasm for parliamentary as distinct from extra-parliamentary protest, did not vote against the ratification of Union. The most principled grouping in the Opposition was the rump of 15 members identifiable as the anti-aristocratic Constitutional Reformers who maintained a high parliamentary profile by consistently voting and protesting against Union. The remaining Opposition (56 activists) can be deemed the Countrymen, all but 11 of whom indulged in cross-voting as befitting an aristocratically dominated group of frustrated placemen. Nonetheless, that 11 nobles should identify closely with the voting and protesting profile of the Constitutional reformers again, serves to indicate that the Countrymen - despite banefully opportunist leadership - were not entirely devoid of principle.

The ultimate merit of this database is, perhaps, its partial rehabilitation of principle by questioning the extent to which all members of the Scottish estates were exposed or susceptible to political influence in favour of an incorporating union. That the voting patterns for the Treaty of Union highlight the primacy of the politics of influence in early eighteenth century Britain is demonstrable. That principled commitment in the Scottish estates was a minority activity is not contested. But, that such commitment was the exclusive preserve of opponents of Union is insupportable. The debate continues.

Notes

1. The principal sources for the construction of this database known as TRUNVOTE are Thomson 1824; Aufrere 1817; and Riley 1978, appendices.
2. TRUNVOTE database has been constructed using DISHDATA as devised in the DISH laboratory, University of Glasgow. Interrogation is by QUEST and the associated QUTILS and QUANAL are used for graphic quantification.
3. P The Rest represents petitions from five burghs submitted separately on 8,9 and 28 November and 3 and 8 December 1706. A N/A represents the non-applicability of petitions to the nobility who attended the estates as individuals not as constituency representatives. While B NO signifies that 35% of the total membership did not receive a petition, this figure represents just over half of the 66% eligible to receive petitions from their constituencies.
4. Of the 31 members cited in all 30 recorded voting divisions, none was affiliated to the Opposition.
5. The stringing of negatives to counteract N/A - not applicable - values within fields: a cumbersome procedure for interrogation which serves to highest the inflexibility of QUEST.

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Appendix 1

RECORDED VOTING DIVISIONS

		For / Agnt	Maj
(i) Constitutional			
FSTVOTE*	Principle	116 / 83	33Ü
RATIF	Ratification	110 / 89	21
SECUREL*	Presbyterian Estab.	113 / 38	75
VOTE2*	Succession	116 / 57	59Ü
VOTE3*	Parliament	113 / 83	30
VOTE21A	Burgh Privileges	104 / 22	82
VOTE21B	" "	105 / 08	97
VOTE23	Peers' Privileges	88 / 50	38
(ii) Economic			
VOTE4	Free Trade	154 / 19	135Ü
VOTE7	Excise	114 / 78	36
VOTE14A	Customs Duties	107 / 88	19
VOTE14B	" "	105 / 66	39
VOTE15A*	Equivalents	121 / 50	71Ü
VOTE15B	" "	138 / 27	111Ü
VOTE8A	Salt Tax	92 / 93	(01)
VOTESB	" "	110 / 82	28
VOTE8C	" "	114 / 39	75
VOTE8D*	" "	112 / 86	26
VOTE15C	Equivalents	112 / 71	41
VOTE15D	" "	112 / 55	57
VOTE18A	Regulation of Trade	103 / 72	31
VOTE18B	" " "	103 / 52	51
(iii) Political			
PROCDISP	Voting Sequence	112 / 84	28
PROCLAM1	Unlawful Meetings	145 / 04	141Ü
PROCLAM2	" "	110 / 62	48
VOTE22A	Scottish Rep.	114 / 73	41
VOTE22B	" "	101 / 59	42
VOTE22C	" "	105 / 54	51
VOTE22D	" "	83 / 65	18
VOTE22E	" "	94 / 63	31

(* - Preceded by protest [s])

(ü - Absolute majority)

Appendix 2

Party Voting Profiles

	COURT	SQUADRONE	OPPOSITION
NOMINAL STRENGTH	*106	*27	•97
NON-VOTING	5	0	5
CROSSED-FLOOR	6	0	8
ACTUAL STRENGTH	*103	*27	•90
SOLID PARTY LINE	66	*20	•38
SOLID PARTY 20 + VOTES	60	*20	•23
SOLID PARTY ELITE (27 +)	40	*16	5
OCCASIONAL CROSS-VOTING	29	7	•46