

## **House of Lords Reform Since 1911: Must the Lords Go?**

Peter Dorey and Alexandra Kelso

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A slightly abridged version of this review will appear in *West European Politics*

House of Lords reform is once again on Britain's political agenda. In May 2011 the government published the sixth White Paper on the subject in 13 years. This time the proposals came from the Conservative/Liberal Democrat coalition, the previous five papers having been published by Labour. The minister driving the policy, Liberal Democrat leader Nick Clegg, hopes to succeed where his partisan opponents failed. He also sees himself completing a historic mission for his party, exactly 100 years after a Liberal government passed the 1911 Parliament Act. Its preamble famously promised to replace the Lords with "a Second Chamber constituted on a popular instead of hereditary basis", but noted that "such substitution cannot be immediately brought into operation" (the Act itself trimmed the chamber's powers, but left its composition unchanged). The centenary therefore presents an opportunity to complete a key piece of unfinished business, by introducing elections to Britain's second chamber.

The centenary also creates a timely opportunity for academics to reflect on the history of Lords reform, as Dorey and Kelso do in this volume. At 228 pages (plus endmatter) it is a succinct summary of the many twists and turns during the century: outlining the handful of Lords reforms that succeeded, and the rather more numerous reform proposals that failed. It is recommended reading for anyone who wants to understand the dynamics of reform. And in particular for any amongst them who think it will be easy to achieve.

Much in the story should be familiar to watchers of contemporary debates. In the 1920s a cabinet committee – much like Nick Clegg's – brought forward proposals for membership reform, which left important details open for discussion. These were not well received by MPs: the "vagueness of the resolutions was certainly one reason for the lack of enthusiasm, although, of course, if the resolutions had been more detailed, this too would doubtless have provoked specific arguments and disagreements". Clegg might say the same of the battering that his proposals received when presented to the House of Commons. Likewise the split amongst MPs, "with many of them insisting that [the Lords] composition should ... be reformed, to render it more democratic and representative", while others were concerned "that such reform would imbue the Second Chamber with much greater political legitimacy, whereupon it was likely to prove much more willing to challenge government and the House of Commons". Also a familiar dispute from 2011, but this passage describes debate in the 1940s. Finally the conclusion that MPs "might not have liked the House of Lords very much, but they seemed even less enamored with the proposed alternatives" has a very contemporary feel. Instead it describes the mood in 1968.

Many of the proposals under consideration today are very familiar as well. Making the Lords' membership proportional to general election vote shares was discussed in the 1920s. A chamber of 300, with members serving for 12 year terms, was proposed in the 1930s. In the 1950s – when life peers were finally introduced – there were suggestions that members should instead be appointed for shorter terms, with clear criteria for appointment and a mechanism for distributing seats between the parties. None of these changes came about, so all are under discussion still.

The first lesson from history is therefore that little in this debate is new. The conflicts, in particular between the desire to legitimise the Lords and the fear of undermining the Commons,

are well rehearsed. The second lesson is that reform ideas – in part as a consequence – tend to be on the table for a long time before being adopted. Life peerages were proposed in the 19<sup>th</sup> century, but not introduced until 1958. In the 1940s there were vigorous debates about cutting the number of hereditary peers, but this was only achieved in 1999. And so on. The third and perhaps most important lesson is that small, simple, and relatively unambitious reforms can sometimes succeed, but wholesale packages of reform – while often discussed – have so far always failed. Cross-party talks in the 1940s considered options for compositional reform, but the government settled instead for “a minimalist approach, a simple reform which all Labour MPs could endorse”: i.e. a further reduction in the chamber’s powers in the 1949 Parliament Act. In the 1950s the whole package was discussed again, but only the Life Peerages Act was implemented. This pattern was repeated in 1963, and again in 1999. Meanwhile the only attempt to legislate for a major package of reforms was that pressed on Harold Wilson by Richard Crossman, in 1968-69: this spectacularly failed, due to MPs’ inability to agree, and was withdrawn after 88 hours in Commons committee. Wilson too had declared himself in favour of “a short sharp bill” on one issue only, and must have regretted giving in to the more ambitious Crossman.

In their conclusion the authors note that the Lords’ gradual and piecemeal reform over 100 years leaves it a very different institution: largely shorn of hereditaries, more expert and, particularly recently, more confident to use its powers. But they could have done more to draw from the repeated patterns seen in earlier chapters with regard to the prospects for reform today. In particular, if history is to repeat itself and Clegg’s proposals fail, they give no indication of what the next piecemeal reform might be. Curiously, the contemporary debates on minor reforms – such as introduction of retirement from the chamber, greater regulation of appointments or removal of the remaining hereditary peers – are never mentioned. Nonetheless their analysis supports a conclusion that these may be the most that can be achieved.

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