

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

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2011 saw the centenary of the passing of the 1911 Parliament Act; the first step, it was thought, in a more thoroughgoing reform of the powers and composition of the House of Lords. As Peter Dorey and Alexandra Kelso show in this admirable new study marking the centenary, that programme of reform was still incomplete a century later. Rather than sweeping reform based on a consensus of right-thinking people, to create a parliamentary system fit for the age of universal suffrage, the period in fact saw piecemeal reform, amidst division of opinion both between and within the main political parties. If all were agreed that Something Should Be Done about the House of Lords, there was precious little clarity of vision as to what should be put in its place.

With this new study in their hands, readers interested in the circumstances of the sequence of legislation will find all the detail they could want for. While each of the major steps – the 1911 Act itself, those of 1949, 1999 and the abortive Parliament (No. 2) Bill of 1969 – has been examined by scholars before, treatments of the period as a whole are rare, and this study provides a sound foundation for further detailed primary research on the topic.

While it would be invidious to attempt to summarise a work such as this, there are some themes that recur. Perhaps the principal of these is the consistent lack of consensus within either Labour or Conservative parties on what exactly to do about the Lords, and what (if anything) to put in their place. The Labour party, consciously founded to represent a class interest, was united in its conviction throughout the period that the hereditary peers had no place in the legislature; but this was where the consensus ended. There were

certainly Labour voices that called for the outright abolition of the House and the institution of a unicameral parliament, which became party policy briefly in the 1980s under the leadership of the convinced abolitionist Michael Foot. Viewed in the context of the whole century, however, this appears as an aberration. Other Labour figures found themselves content with the effect of the 1949 Act; since the powers of the Lords had been reduced, it mattered less how it was composed. Others still lacked the appetite for the additional workload that thoroughgoing reform entailed. However, it was Labour administrations which were responsible for most of the major reforms: the 1949 Act under the Attlee government; the Blair reforms of 1999; and the Bill of 1969, the work of Dick Crossman, cabinet minister in the Wilson administration of 1964–70.

Part of the motivation for Crossman's championing of the cause, sustained over several years, was a pragmatic one. As the electoral politics of the class struggle changed with growing levels of affluence, attention became more focussed on the changing nature of the business of government. The Lords in the 1950s lacked self-confidence, due in large part to the lack of expertise in the House. As the state had radically extended its reach in health, education and economic policy in the post-war years, the weight of business grew such that a revived second chamber became more and more necessary to take some of the burden from the Commons. The sense of urgency was heightened by a widespread consciousness of economic decline relative to other nations; a decline attributed in part to the sclerotic nature of British government and the unfitness of the system for new circumstances. It was in part due to this shared sense of need that the Conservative administration of Harold Macmillan brought forward the Life Peerages Act of 1958.

Only in part, however, as the Conservatives brought their own particular preoccupations to the question. The 1958 Act was very clearly presented as a means of improving the conduct of government. It was also intended that it should increase the number of Labour peers in the Lords; an increase which over time was indeed its effect, even if initially Hugh Gaitskell struggled to find Labour MPs willing to move. Dorey and Kelso, however, convincingly present the Act as an adroit manoeuvre to defuse Labour criticism of the hereditary principle. By implementing measured reform, the pressure for more radical reform (which would damage Tory interests most) was relieved. This Burkean impulse, carefully to reform institutions in order to preserve them, emerges as a hallmark of Conservative policy on the Lords throughout the book.

One striking aspect of the book is how little enthusiasm has ever been evident for a wholly elected second chamber, apart from within the Liberal party, which was rarely in a position to effect the change (at least until 2010). Most schemes of reform that involved altering the composition of the House (rather than simply limiting its powers) involved some element of election, either directly or by other peers. This was usually however only one component of a proposed settlement involving a transitional group of hereditary peers (always shrinking in number); and a permanent contingent of life peers after the Act of 1958, and appointees from each of the main parties (the appointment process being overseen by some form of commission). The 1969 Bill envisaged a two-tier House of 'voting' and 'non-voting' peers; and the Commons in 2003 were asked to vote on no fewer than eight different permutations of election and appointment. It is possible whilst reading Dorey and Kelso's study to become lost in the thick forest of commissions, committees and reports on the issue. What does show through is the marked lack in any party of a clear picture, drawn in terms of political philosophy, of what the second house ought to look like. There was little sense of a philosophical rationale for the introduction of appointed life peers, or by means of which to determine the degree and means of election; and so, as with so much else in British public life, the best solution was always that which worked. The only fixed points were the sovereignty of the Commons and the undesirability of heredity.

One surprising omission (for this reviewer) is any extended consideration of the position of the Lords Spiritual: that subset of the bishops of the Church of England who sat in the House as of right. Had this book appeared in 1981 or 1991, the neglect of the issue would have been of a piece with a general sense of the irrelevance of religious history more generally. However, the last few years have seen an upsurge in debate about the place of the religious in public life, including the House of Lords, which featured in debates preceding the 2010 election [\(1\)](#); and the issue therefore probably merited more than the single paragraph that it receives here. It is perhaps an opportunity missed, as the development of the various arguments either in

favour of or opposed to the presence of the Lords Spiritual mirror wider issues regarding the Lords in general. In the earlier part of the century, the bishops were viewed in much the same way as the hereditary peers: representatives of the immutable order of society; the establishment of the Church was seen as just as inevitable and right as the class system. Over time, and particularly in the 1960s, as the moral law was reformed in such a way as to emphasise the widening gap between state and church, the bishops' own view of their position shifted, as did that of those observing them. Mirroring the advent of the life peers, the bishops became, as it were, Life Peers Spiritual: in the House not simply, or even mostly, by virtue of their historic office but also now on grounds of religious expertise. The bishops came to view themselves as representing a religious mode of viewing public affairs; it is striking that there has been no consistent pressure from either the other Christian denominations or from other faith groups for parallel representation. Whilst a number of non-Anglican Christian leaders did become life peers, Donald Soper (Methodist, 1965) and George Macleod (Church of Scotland, 1967) among them (both Wilson nominees, and both reputed to be on the left), the bishops came to be seen as playing the role of defenders of all faiths, rather than simply of the Church of England alone.⁽²⁾

More generally, there are parts of the wider historical context that might have been sketched more fully. For instance, whilst there is material on the trajectory of Labour thinking between 1969 and the Blair years, this is not matched by a parallel narrative of Conservative policy development; Mrs Thatcher merits not a single mention. Whilst there may have been little enthusiasm within Tory ranks to reopen the question, some assessment of that intellectual stasis and its implications would have been useful and welcome.

It is most unfortunate that the authors have been badly let down by their proof-readers, with a great many typographical errors, missing words and the like throughout the book. That aside, the authors are to be congratulated for their surefooted and clear exposition of this 'constant constitutional conundrum' (p. 217), which will now be the starting point for future work by others on the topic.

Notes

1. <<http://www.power2010.org.uk/blog/entry/join-our-call-for-the-bishops-to-back-reform-of-the-lords/>^[2]> [Accessed 4 April 2012].[Back to \(1\)](#)
2. Ronald Ferguson, *George Macleod. Founder of the Iona Community* (London, 1990), pp.351–4; William Purcell, *Portrait of Soper* (London, 1972), pp.162–5.[Back to \(2\)](#)

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[1] <http://www.history.ac.uk/reviews/item/14604>

[2] <http://www.power2010.org.uk/blog/entry/join-our-call-for-the-bishops-to-back-reform-of-the-lords/>