

When is a reform not a reform?

# Labour's proposed changes to House of Lords are undemocratic

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The Blair Labour government this week issued a short bill and an accompanying 50-page White Paper entitled: "Modernising Parliament: Reforming the House of Lords". The former contains proposals to remove the majority of the 750 hereditary peers from Britain's second chamber by autumn this year. The latter is a series of proposals for what will replace the current setup, to be finalised before the next election in 2002. These are referred to as Stage 1 and 2 of the process.

In the foreword to the White Paper Prime Minister Tony Blair describes the proposals as "radical and historic" and states, "For too long, hereditary peers with no democratic legitimacy, whose role is based on birth not merit, have been able to play a large part in laws affecting everyone in Britain.... New Labour in government will, as we promised, carry out a careful and considered reform of the House of Lords."

The Labour leader of the House of Lords, Baroness Jay, declared that the proposals would put an end to the "fundamental anachronism" of hereditary peers and create a "modern Parliament for a modern Britain". These grandiose claims are in inverse proportion to the reform's actual democratic content. A series of alternative proposals for the final composition of the Lords falls well short of an elected second chamber. These include full nomination, an indirectly elected chamber or a mixed combination of elected and selected members.

It has become customary for the Labour government to attach the prefix "new" to various old and discredited institutions in an attempt to lend it credibility, hence "New Labour", "New Britain", even a "New Monarchy". Their other favourite is to pronounce

something as belonging to or representing the "people", a la Diana the "People's Princess". Capital letters are, of course, obligatory. In the case of the reform of the Lords, attention has been focused on a plan to allow one member of the public to nominate another as a life peer. Immediately dubbed the "People's Peers" in New Labour-speak, this will probably be limited to 20 new members in the first stage of Lords reform, with a possibility of enlargement when the final alternative is drawn up. That this measure will take effect while hereditary peers are on their way out is presented as a guarantee that the new Lords will be more representative.

This measure is designed to divert attention from the two main criticisms that have been voiced of Blair's proposed reform of the Lords. First, the compromise reached by the Prime Minister and the then leader of the Conservative opposition in the Lords, Viscount Robert Cranborne, to allow the retention of 91 hereditary peers in the initial period of transition. (This agreement with the head of one of the oldest aristocratic dynasties emerged in November after weeks of secret horse trading. Tory party leader William Hague was obliged to remove Cranborne from his post.) Second, there was widespread criticism that, with no provisions for a democratically elected second-chamber, the Lords would effectively be made up of "Tony's cronies", i.e., the life peers Blair has the power to appoint.

Presented as a refutation of the latter criticism in particular, the "People's Peers" proposal is entirely cosmetic. Whatever the number of such posts finally agreed, all those nominated will be vetted by a newly created seven-member Appointments Commission.

Final approval then continues to rest with the Queen. This point was emphasised so as to reassure all concerned that Labour's opposition to hereditary privilege did not extend to Her Royal Majesty! The Monarch--the supreme embodiment of this reactionary principle--will not be undermined as Head of State, Labour has insisted.

Leader of the Commons Margaret Beckett stated that the compromise over the 91 hereditary peers would also stand on the proviso that the Conservative opposition acquiesce to Labour's reform measures. If not, the government would resort to the power of veto contained in the Parliament Act of 1911. The government plans to nominate around 50 Labour life peers to balance the in-built Tory majority in the Lords. Nevertheless, this will mean that a section of the most powerful hereditaries maintains some leverage over the final outcome of the changes. The proposals also allow for the maintenance of 26 voting bishops of the Church of England and the retention of 12 Law Lords as Britain's highest court. After negotiations between Buckingham Palace and Downing Street, the Prince of Wales and four other royal dukes will lose their right to sit and vote in the Lords.

The creation of the seven-member Appointments Commission is the government's answer to charges of cronyism. But whereas this reduces the Prime Minister's previously "unfettered power of patronage" in nominating potential peers to the Queen, Blair will still retain the most important power--deciding how many new peers are to be ennobled by each party.

A Royal Commission has been established to preside over the proposals and determine the final model. According to Blair's plan, this is to be headed by Lord Wakeham, former Conservative Cabinet Minister. Wakeham was Margaret Thatcher's Chief Whip between 1983 and 1987 and was later made her campaign manager in the 1990 leadership contest. The only other named member of the 12-strong body is the right-wing Labour MP Gerald Kaufman.

Left Labour MP Tony Benn criticised the proposals in Parliament. "Was the leader of the Commons aware," he asked, "that 350 years ago the Commonwealth Parliament had abolished the House of Lords with a simple, one clause Bill? It said the Lords should not sit here or purport to sit anywhere else. Compared to that, the ingenious piece of constitutional modernisation that

has been announced today must have tested the ability of philosophers of the third way, of spin doctors, of focus groups and indeed of such notable intellectuals as Lord Cranborne and the leader of the Liberal Party."

Benn asked what was being proposed: "A scheme where hereditary peers, electing each other, will rub shoulders with people's peers, appointed and cleared of cronyism, who will have a job for life. Isn't it time the government made clear that we are entitled to have an elected parliament ... "

Benn sounded like the voice of a bygone era in Labour's history, when it at least formally stood for democratic and social reform. Today, its constitutional measures provide a flimsy veil for an economic and political conservatism akin to that of Margaret Thatcher. Benn did succeed, however, in exposing the jerry-built character of Blair's reforms, which could pose major problems in the near future. The Tory leader in the House of Lords, Lord Strathclyde, warned this was "the first step on an uncertain road which will take us we know not where".

As for Labour's supporters, they dismissed any criticism as impermissible. The *Guardian* newspaper said of Benn's objections, "To hold out for absolute change would be to risk the whole effort.... Lords reform has been lost too many times by such utopianism." It would be more honest if Blair's defenders admitted that their definition of reform is the same as that used in Ambrose Bierce's irreverent dictionary: "Reform: - n. A thing that mostly satisfies reformers opposed to reform."



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