

Plans for second stage of House of Lords reform leaked

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A leaked first draft of the Royal Commission on the future of Britain's House of Lords is proving highly embarrassing for the Blair government. It follows last week's abolition of voting rights for all but 92 of 750 hereditary peers.

The leader of the Conservative faction of the Lords, Lord Strathclyde, predicted that the prime minister would shelve the next stage of Lords reform because he has lost the argument for a fully nominated second chamber. This is unlikely, but the comment indicates the Tories' belief that, in drafting the proposals, they have staged something of a coup against Blair.

The 11-member Royal Commission, under the Tory (Conservative) Lord Wakeham, calls for the election of 100 members out of 500, in a vain attempt to give the new Lords some democratic legitimacy. Other members would be chosen by an independent appointments commission, to ensure that the chamber was "representative of all parts of UK society".

Blair has long made clear his opposition to creating an elected second chamber, because it could challenge the authority of a Labour-dominated House of Commons. Lord Wakeham, a former Tory Chief Whip, won the case for an elected component to the new Lords against the opposition of Gerald Kaufman, the senior Labour MP on the committee.

The Church of England would retain its presence in the Lords, but with the number of bishops cut from 26 to 16. Leaders of other faiths would be "considered" for membership. The role of the Law Lords as Britain's highest court would also remain.

Existing life peers would remain until their death, but there could be a form of retirement—with the right to speak but not to vote. The report also makes the proposal for peers to be chosen from minority groups so as to make it "more representative of society".

The proposal for elected peers is only one aspect of a report that will polarise the debate on constitutional reform still further along partisan lines. Blair could possibly accept an election of just 20 percent of the Lords, but the "democratic legitimacy" this measure is supposed to confer would strengthen the ability of the Lords to challenge the Commons. The proposals made for when such a challenge could be mounted include every major Conservative hobbyhorse—focusing on opposition to further European integration and devolution of power to Scotland, Wales and the English regions.

The paper suggests that the new Lords should be given powers to hold the House of Commons to account, and to scrutinise European legislation in particular. The Royal Commission calls for an "enhanced" role for the Lords in examining and criticising ministers. It proposes that the Lords be given sweeping powers to act as "watchdogs" over the European Union, by setting up a committee able to summon cabinet ministers to justify agreements made at European summits and in other meetings in Brussels.

According to the *Sunday Telegraph*, Britain's leading conservative newspaper, which obtained the leaked document, ministers would have to explain their plans to negotiate agreements in advance of European Council meetings and listen to advice from the Lords.

"Parliament should have more of a role in holding EU institutions to account. In practice, this can best be achieved through enhancing its influence on ministers before decisions are taken in the council," the *Telegraph* quotes.

The reformed Lords would also act as a "constitutional watchdog", providing a check on new legislation, "such as future devolution to the English regions". No party would be allowed a "secure

majority", but the government party should "generally be the largest".

The Lords would also retain their powers to delay Government Bills for up to a year.

The Royal Commission concludes that this "suspensory veto is the most appropriate means (and length) by which the second chamber can force the Government to think again, while preserving the pre-eminence of the Commons".

The commissioners have rejected the suggestion that the new second chamber should have the power to ratify major public appointments, like the confirmation hearings held in the US Senate, though the report suggests they could be debated.

The purging of most hereditary peers from the Lords will be completed within the next two weeks, but there will be no move on stage two of Lords reform before the general election expected in 2001. Whatever happens next, however, reform of the House of Lords has become a farce. Instead of simply doing away with this undemocratic bastion of inherited wealth and power, Blair tried to refashion it into a rubber stamp for his government. To do this, he sought a working agreement with the Tory Lords allowing some of their number to maintain their wigs and ermine and sit alongside his appointed cronies. Now the ungrateful peers have apparently bitten the hand that sought to placate them.



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