

Nick Clegg's proposed reforms to the House of Lords is a solution seeking a problem

Blog Admin

Last month, Nick Clegg and the government launched a draft bill outlining plans for a smaller, mostly elected House of Lords. While advocates say that it will make the Lords more accountable and representative, the plan's detractors are concerned that it will remove the experience and expertise currently present in the current House of Lords. Looking at a recent survey of peers on the issue, [Tim Bale](#) argues that the proposed reforms are wholly unnecessary, and any reforms (if there are to be any) should be far more modest than those currently proposed.



The [survey of peers' attitudes to the reform of the House of Lords published by the Times last week](#) suggests that, while those who sit on the red benches are happy to see some tinkering here or there, they draw the line at giving voters a say in who should join them in the Upper House.

This is a problem because the government's [White Paper](#) proposes a chamber which, in its final form, would be at least 80 per cent elected – a process which the document suggested would be conducted under STV and could begin with a contest held on the same day as the next general election in 2015 (assuming, of course, that we really have entered the era of fixed term parliaments and that there won't therefore be a dissolution before then).

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Around eight out of ten current peers apparently object to the idea of a wholly or mainly elected second chamber – a body (as yet unnamed) that will, if things work out along the lines suggested by the White Paper, contain 300 members (around the same number, incidentally, that responded to the survey). Fortunately for Nick Clegg, whose baby this is, the survey suggested that, even if [some high-profile Lib Dem Lords are sceptical](#), a majority – albeit a narrow one – of his current peers support wholesale change. However, 90 per cent of Tory peers were against it, as were 84 per cent of crossbenchers and 73 per cent of their Labour counterparts.



There are two ways to see these results. Advocates of reform will no doubt dismiss them as the special pleading of an unelected, privileged and endangered minority: turkeys, after all, rarely vote for Christmas and anyway it is ultimately for the Commons to decide, even if that means imposing its will on the Lords via the Parliament Act – something that may well have to happen if the legislation is to go through in time for 2015.

Opponents of reform, on the other hand, will read into the survey the considered opinions of a bunch of specialists who in the main do a good job and should therefore be listened to. Westminster – indeed, the British polity more generally – has always been, and always will be, a work-in-progress. Arguably it's all the better for being so. Progress thus far has never come about by big-bang changes but by incremental accretion. The Lords is like it is for a reason. What exactly is it that it doesn't do properly now? Which pieces of recent legislation would have been made better by being dealt with by a more democratic second chamber? What exactly is the problem for which Lords reform is the solution?

If David Cameron and Nick Clegg have got any sense – and I suspect that at least one of them has – they will take their Lordships' opinions, and the small-c conservative critique embedded within it, very seriously indeed. That critique poses questions which haven't yet been convincingly answered by those for whom reform is self-evident and for whom the Lords is an unsightly, irritating reminder that we live in an old (and sometimes infuriatingly deferential) country. It also [chimes with the thinking of most Tory \(and quite possibly most Labour\) MPs](#) and, according to ConservativeHome, with [the views of the Tory grassroots](#) too.

Moreover, it has the weight of history behind it.

In the last fifty years there have been two serious attempts to reform the House of Lords: one beginning in the late sixties, the other in the late nineties. Both ended in farce and failure. Proponents of change could only agree on lowest common denominator solutions and couldn't muster enough support to beat unholy alliances between those who wanted outright abolition, those who wanted no change whatsoever, and those who saw the whole thing as an irrelevant distraction which interested no-one outside the so-called chattering classes.

There is absolutely no reason to think that things will be any different this time. Where is the coalition of powerful interests that wants or needs this reform to take place? And how does the informed minority that does want it to take place counter the argument that it will end up taking valuable parliamentary time that would be much better spent on real issues that the majority of the country actually cares about? Sorting out the mess that this country's [long-term care system](#) is so obviously in right now is just one priority that might be ever-so-slightly higher up the nation's collective to-do list. Readers can no doubt think of others.

Not all the items on that list, of course, require legislation – it's a truism that governments over-legislate and under-achieve – but most at least require the kind of investigation and debate that is also a key parliamentary function. In an era where the public feels increasingly disconnected from its representatives, do those representatives really want to be seen fussing over something that so few people care about? And do they want to be seen doing so in the light of the AV referendum and when it's going to be just as easy as it was during that campaign for opponents to suggest the whole thing is going to end up costing us all more money?

No-one is saying that the Lords, any more than any other political institution, is perfect. But it ain't broke either. Relatively modest reforms – the introduction of voluntary retirement, the non-replacement of hereditary peers who pass away, a small (but only a small) reduction in numbers, and possibly a more independent appointments process – might boost its efficiency and its legitimacy. But they would do so without damaging the place's unique selling point, namely the wealth of experience and expertise its members bring to scrutinising the work of the Commons without ever getting above themselves and seriously challenging its supremacy.

The joint committee that will be established to consider and report back on the government's proposals could usefully examine some of these less fundamental suggestions. At the moment, though, it looks as if its main task will be coming up with an option (or, if recent precedent is anything to go by, options) for the more radical shake-up that the Lib Dems still seem intent on trying to push through, come what may.

Cameron shouldn't let Clegg continue on this fool's errand – unless of course both of them are on the lookout for an issue which might, in time, prove to be just the sort thing that could be used as an excuse to bring an early end to the coalition. One can only hope that neither would be so cynical and that common sense will sooner or later prevail. Lords reform on the scale envisaged is not wanted. Nor is it needed – not now at least, and maybe even never.