

Talking sense on Lords reform: why the PSA's new Briefing fills a crucial gap

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On 19 May 2010, just weeks after the General Election, the new Deputy Prime Minister, Nick Clegg, promised that the incoming coalition government would preside over 'a [wholesale, big bang approach to political reform](#)', amounting to 'the biggest shake up of our democracy since 1832'. It scarcely needs pointing out that, following the decisive 'no' vote in the AV referendum, the bang very quickly became a whimper, and that the DPM no longer seeks to invoke comparisons with the Great Reform Act of 1832.

Liberal Democrat hopes for major constitutional change now rest with House of Lords reform – a proposition which many commentators assume is not only dead in the water, but also risks holding up other aspects of political reform, such as changes to party funding arrangements. Meanwhile, proponents of reform ranging from the [Electoral Reform Society](#), to [Unlock Democracy](#) and [Take Back Parliament](#) are engaged in some much-needed, honest reflection on the lessons to be drawn from the AV referendum and on the future priorities for the reform movement.



Whatever the prospects for reform in the short-term, the key lesson for all of us, whether pro- or anti-reform, is that the quality of the debate about constitutional change has proved so poor. The debate between the two rival camps during the AV referendum is universally accepted to have been exceptionally dire. Yet, the tendency for protagonists to over-claim about either the benefits or the risks of constitutional change, with little recourse to evidence, has been perhaps the one constant hallmark of the debate since political reform was put back on the agenda in wake of the MPs' expenses crisis in mid-2009.

One of the few prominent voices during the referendum to offer a balanced, evidence-based assessment of the pros

and cons of adopting the Alternative Vote was that of [Dr Alan Renwick](#), a Lecturer in Politics at the University of Reading. Dr Renwick's excellent book, *A Citizen's Guide to Electoral Reform*, published by Biteback in early 2011 was highly effective in translating extensive academic knowledge about electoral systems, including his own [comparative study of electoral reform](#) published by Cambridge University Press in 2010, into an accessible and 'user friendly' text for the general reader.

Subsequently, Renwick complemented his 'Citizen's Guide' with a media briefing written for the [Political Studies Association](#) (PSA) and he became as notable and effective a commentator during the referendum as Professor Vernon Bogdanor, sharing the latter's dogged insistence that claims about electoral systems should be judged against the available evidence.

Just months after the AV referendum, Renwick has teamed up with the PSA once more, to produce a Briefing on House of Lords reform, [published today](#). The need for the Briefing is clear. As Renwick notes in the opening line of the executive summary 'The quality of debate about House of Lords reform is currently low'. And, while there is plenty of assertion about the benefits and risks of Lords reform, Renwick rightly reminds us that 'rarely is there any attempt to base these claims in solid evidence'.

In a similar approach to his work on AV, Renwick draws on the available international evidence about second chambers as well as UK academic research on the changing role of the House of Lords. Unlike his work on AV, Renwick's 96 page paper on Lords reform effectively combines a popular book and a media briefing into a single document. While the document is lengthy, not a word is wasted. Lords reform is a complex and multi-faceted issue. The devil is in the detail, and the detail really does need to be worked through.

Superficially, we might assume that Lords reform consists of one or two 'first order' constitutional issues (such as whether it would affect the primacy of the Commons and whether the upper chamber should be wholly elected or partly elected) and then a series of secondary and more technical issues (such as which electoral system should be used, what the term of office should be, whether members of the reformed Chamber could still be appointed as Ministers and whether they should be subject to recall by electors).

Renwick avoids the trap of falling into such a false dichotomy and he is right to do so. In the context of the UK's unwritten constitution, decisions about some of the seemingly 'second order' issues such as electoral systems could easily impact upon 'first order' questions such as the primacy of the Commons. Instead, he bases his analysis on assessing the government's proposals against 12 criteria, ranging from 'legitimacy' and 'representativeness' to 'integrity' and 'cost'.

Renwick's criteria are carefully justified, but he recognises that they cannot be asserted as universal or objective yardsticks. What matters most is his insistence that an attempt to establish such principles must be made and the available evidence interrogated on the basis of such criteria. As Renwick argues in a post on the [University of Reading's politics blog](#):

What we need is a measured debate based on critical analysis and on evidence. The government's draft Bill is a serious proposal borne of very careful thinking. That does not mean that it gets things right. But we can only come to a well grounded view on its merits if we debate it with care.

In subjecting the government's proposals to informed analysis, Renwick's briefing ends, appropriately, by raising a series of questions about Lords reform. What is the precise role for the second chamber that is sought? How important is it that the second chamber should carry democratic legitimacy? How can the best candidates be encouraged to seek election or appointment and how can their focus on the functions of the second chamber best be ensured?

These are questions which legislators need to answer as the Bill makes its way through Parliament – but they are also questions which academics, campaign organisations and journalists should be posing as the proposals are subject to scrutiny within Parliament and beyond.

Renwick does reach two clear conclusions about the government's proposals. First, he suggests the proposal to adopt the Single Transferable Vote as the electoral system for the second chamber is probably the right one – with which I am inclined to agree. Second, he argues that the reforms would not end the primacy of the Commons – and here, I am less persuaded.

As [Dr Andrew Blick](#) has previously argued on the [Democratic Audit blog](#), it is far from certain that existing conventions about the primacy of the Commons, most notably the 'Salisbury-Addison' (which had mysteriously been omitted from the [draft Cabinet Manual](#)) would guarantee the primacy of the Commons, particularly if coalition government becomes more commonplace.

It is certainly possible that a reformed second chamber could become more assertive than the government's draft Bill suggests. But, as Renwick rightly notes in his Briefing, 'the House of Lords is a unique institution rich in history and conventions; how any particular reforms would interact with this history to produce outcomes cannot be entirely predicted'.