

Reforms of the House of Lords

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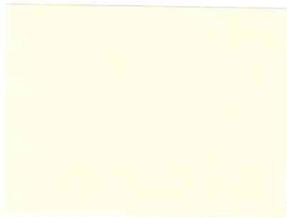
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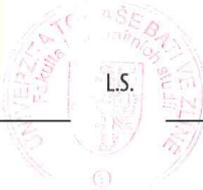
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Norton, Philip. *Reform of the House of Lords*. Manchester: Manchester University Press, 2017.
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ABSTRAKT

Sněmovna Lordů, nevolený orgán Britského Parlamentu, ve kterém byli zástupci vybíráni na základě jejich dědičné linie. Měli právo rozhodovat o směřování země jen díky tomu, že byli shodou okolností nástupcem aristokrata, nikoli proto, že byli zvoleni lidem. Tato skutečnost rezonovala britskou společností už od konce 18. století a jejím důsledkem bylo několik reforem Sněmovny Lordů. Ty nejdůležitější reformy byly implementovány až ve 20. století a přeměnily Sněmovnu Lordů do podoby, jak ji známe dnes. K jejich implementaci došlo díky tlaku zvětšujícího se voličstva, které shledávalo nezvolené lordy jako opak toho, jak by demokracie měla vypadat. Tato bakalářská práce se věnuje všem úspěšně provedeným reformám 20. století.

Klíčová slova: Sněmovna Lordů, Reforma, Návrh zákona, Reformy Sněmovny Lordů, Dědiční peerové, Dolní sněmovna Velké Británie

ABSTRACT

House of Lords, an unelected body of the British Parliament, where the representatives were chosen by their hereditary line. They had the right to decide about the course of the country only by a coincidence of being a successor of an aristocrat, not because they were elected by the people. This resonated through the British society since the late 18th century and led to several reforms of the House of Lords. The most important ones were implemented in the 20th century and transformed the House of Lords into the Upper Chamber as we know it today. Their implementation was made possible thanks to the pressure from a growing electorate that found unelected Lords to be contrary to how democracy should look like. This bachelor thesis covers all the successfully implemented reforms of the 20th century.

Keywords: House of Lords, Reform, Bill, House of Lords Reforms, Hereditary Peers, House of Commons

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I hereby declare that the print version of my Bachelor's thesis and the electronic version of my thesis deposited in the IS/STAG system are identical.

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INTRODUCTION

Members of the aristocracy were always members of the "mother of all parliaments"¹ since its origins after the signing of the Magna Carta in 1215. In the 14th century, a bicameral parliament was established. The first parliament body was the House of Commons, in which sat the local representatives and knights. The second chamber was the House of Lords, in which sat the Aristocracy. The two houses shared equal power for a long time until the end of the 18th century when power began to shift in favour of the House of Commons. At that time elections were already being held for the House of Commons but not for the House of Lords. In the House of Lords, people sat on the basis of their hereditary line.

At the end of the 18th century the common people were increasingly represented in the Commons, thanks to the industrial revolution and the newly emerging middle class. To them, the hereditary peers were a thorn in their side because Lords wielded the same power as a body chosen by the will of the people. Since then, the Lords gradually lost power due to pressure from the House of Commons and unfavourable public opinion. With each reform that grew the electorate bigger, more pressure to reform the House of Lords was applied.

The 20th century was a watershed for the House of Lords. During that century, there were a total of five reforms that completely reshaped the power and composition of the House of Lords. The aim of my work is to analyse the motives and political background that led to these reforms, their implementation and their impact on the power and composition of the House of Lords.

The first chapter serves to contextualise the House of Lords reforms in the 20th century. It describes the history of the House of Lords and how its power and composition evolved. The second chapter begins with the "People's Budget" which was introduced by the Labour Government and its aftermath in the form of the Parliament Act 1911, the first reform of the 20th century. The third chapter is about the course of the new Labour Government and their modification of the Parliamentary Act 1911. Chapter four describes the first successful Conservatives' attempt to reform the House of Lords' composition. The fifth chapter tells the story of Tony Benn, a Labour MP, also a peer, who through his persistent efforts forced the Government to reform, only so he could give up his duties in the House of Lords and remain an MP. The last sixth chapter is about the reform that finally dealt with the problem of unelected hereditary peers by abolishing all but 92 of them.

¹ "Mother of all parliaments" – Meaning Westminster Parliament, a model parliament for many other countries, especially for former parts of the British Empire.

1 HOUSE OF LORDS BEFORE THE 20TH CENTURY

Calls for reform did not come out of the blue in the 20th century. In this chapter, my aim is to outline the evolution of power and structure of the House of Lords plus the events that led to reforms since the early 20th century.

The story of the House of Lords could be traced 1000 years back in time, into the Anglo-Saxon period of Britain. The so-called “Witenagemot” was an assembly of earls and bishops with an advisory function to the king. After the Norman invasion, the Upper Chamber was called the King’s Great Council and was composed of the lords and bishops.² In 1230, fifteen years after the signing of the Magna Charta, the King’s Great Council became to be legislators of the country. In the 15th century, the Parliament became bicameral. The name of the Upper Chamber House of Lords was used for the first time after the beginning of the reign of Henry VIII. The bill that stated that the consent of both houses was needed for a bill to become a law, was introduced shortly after Henry Tudor’s coronation in 1509.³

1.1 HOUSE OF LORDS’ POWER DETERIORATION

Originally, the legislative power of the House of Lords was equal to that of the House of Commons. Between the years 1671 and 1678, the transfer of powers to the House of Commons began with resolutions stipulating that the House of Lords should not possess the power to alter money bills. The reason behind this resolution was to stop the Monarch from abusing the power of the House of Lords to raise taxes.⁴ The Lords in 1661 responded by attempting to gain the right to initiate and alter financial legislations. The final defeat of the Lords in the area of financial legislation came in 1678. This meant that only the House of Commons could propose financial bills. The lords were left with the ability to veto financial bills with the premise that it would never be used.

The result of the “Glorious Revolution” was an affirmation of the supremacy of the Parliament over the Monarch. In 1711, a dispute over the Treaty of Utrecht between the Tory-dominated House of Commons⁵ and the Whig-dominated House of Lords resulted in the need to create 12 new peers in favour of the Tories by the Crown. However, this was against the Lords’ liking, so in 1719, they introduced the Peerage bill, which was to abolish

² Chris Ballinger, *The House of Lords 1911-2011: A Century of Non-Reform* (Oxford: Hart Publishing, 2014), 5.

³ Chris Ballinger, *The House of Lords 1911-2011*, 4-5.

⁴ Philip Norton, *Reform of the House of Lords* (Manchester: Manchester University Press, 2017), 18-19.

⁵ For info about both parties and more see glossary in Appendix I

the Crown's ability to create new peers. This bill never became a law, for it was opposed in the House of Commons.

The formation of the new peers was once again used in 1832 to ensure that the Reform Bill would pass through the House of Lords. The reform bill was the first of three Representation of People Acts that were implemented throughout the 19th century. The voting rights reforms were implemented as a response to "rotten boroughs"⁶ and the criticism that the middle class did not have the voting rights. Thanks to all three Representation of the Peoples Acts more people had the right to vote. As the electorate grew bigger in the 19th century, the power of the Lords waned, but members of the House of Lords still resisted becoming an elected body of Parliament like the House of Commons.⁷ This meant that the House of Commons had the upper hand since it enjoyed popularity among the public.⁸

An example of this was when a member of the House of Commons, Lord John Russell, was elected as Prime Minister. A move that was until then very rare marked the beginning of a new trend that was the opposite of the original. Most of the subsequent prime ministers were chosen from among the members of the House of Commons. The last member of the House of Lords who served as the prime minister was Lord Salisbury, who was in the office from 1895 until 1902. The number of members of the Cabinet also shifted towards the MPs. Lord Salisbury's Cabinet consisted of 11 members of the House of Commons and only 9 Lords. The Cabinet previously consisted almost entirely of Lords.⁹ However, the power of the House of Lords was not the only aspect that changed throughout history.

1.2 HOUSE OF LORDS' COMPOSITION BEFORE THE 20TH CENTURY

Another critical issue was the composition of the Upper Chamber. As already mentioned in the oldest predecessor of the House of Lords the "Witenagemot" sat earls and members of the church. It was not a rule that those who received an invitation once would receive it again. After the Battle of Hastings, the Norman Sovereign evolved "Witenagemot" into the King's Council where the first hereditary peers¹⁰ were introduced for the higher nobility and by 1530, the 100 Council seats were separated into half between peers on a hereditary or life

⁶ "Rotten boroughs" – election districts with very low population but many representatives in the Commons. Inequality Birmingham with no representatives, but some small villages with two. Some of those representatives were bribed by the Lords, making them their puppets.

⁷ "Key Dates." UK Parliament, Accessed March 19, 2022, <https://www.parliament.uk/about/living-heritage/evolutionofparliament/houseofcommons/reformacts/keydates/>.

⁸ Chris Ballinger, *The House of Lords 1911-2011*, 5-7.

⁹ Meg Russell, *The Contemporary House of Lords: Westminster Bicameralism Revised* (Oxford: Oxford University Press, 2013), 25.

¹⁰ For an explanation of types of peers see Appendix I

basis and church members.¹¹ The Lords gained the majority between 1536 and 1541 when the number of Church representatives was almost halved after the Dissolution of Monasteries. The Clergy Act 1642 abolished the rest of their 26 peerages. The whole House of Lords was abolished in 1649, at the time when the English Civil War was raging. It re-emerged in 1660 after Charles II's restoration. In 1661 Church got its 26 seats back. The number of church peers has not changed since then.¹²

Opposing to Church's peers, the Aristocracy peers count increased drastically from their original number of around 50 they had in the 14th century. In the 17th century, the number increased to 130 and on the verge of the 19th century, the total number was 270. During the 19th century, the number increased to whopping 498 members, most of whom were of aristocratic origin. Their numbers grew because of the need for the creation of new peers by the Crown to ensure that the Tory Governments had the legislative majority in the House of Lords.¹³

House of Lords since its origin worked as the highest court of appeal in the land. In the mid-19th century, a problem arose with the lack of knowledge of the Lords about the increasingly complex laws. Because of that, the position of Lords of Appeal in Ordinary was introduced by the Appellate Jurisdiction Act 1876. These lords for their natural life were picked from among the senior judges.¹⁴ However, because of opposition from Conservative peers, these Lords could not sit in Parliament and did not have the right to vote. Their only function was judicial.¹⁵ These peers were all introduced at the request of Queen Victoria, who was acting on a recommendation from Lord Cranworth, who was at the time the Lord Chancellor.¹⁶ In the end, after eleven years and some heated debates, Lords of Appeal in Ordinary were given the right to sit and make decisions in the House of Lords in 1887, but their status as peers was changed from life peer to hereditary.¹⁷

The gradual loss of power and change of composition of the House of Lords were trends that carried over into the following century, a century that proved to be a century of the most significant changes for the House of Lords.

¹¹ Chris Ballinger, *The House of Lords 1911-2011*, 7.

¹² Chris Ballinger, *The House of Lords 1911-2011*, 7-8.

¹³ Chris Ballinger, *The House of Lords 1911-2011*, 8.

¹⁴ William Sharp McKechnie, *The Reform of the House of Lords; with a Criticism of the Report of the Select Committee of 2nd December, 1908* (Glasgow: James MacLehose and Sons, 1909), 12-13.

¹⁵ Chris Ballinger, *The House of Lords 1911-2011*, 75.

¹⁶ Peter Raina, *House of Lords Reform: A History* Vol. 1. (Oxford: Peter Lang, 2011), 115.

¹⁷ Mari Takaynagi, "A Changing House: The Life Peerages Act 1958," *Parliamentary History* 27, no. 3 (March 2008): pp. 380-392, <https://doi.org/10.1111/j.1750-0206.2008.00045.x>, 381-382.

2 THE PARLIAMENT ACT 1911

The 20th century was a time when most of the reforms were implemented. It all began with the controversial bill named the “People’s budget”. This financial bill was rejected by the House of Lords. A move that outraged the Government, which was supported by the public, and started a sequence of events that resulted in The Parliament Act 1911. This chapter focuses on the mentioned reform and the preceding events.

2.1 A PRELUDE TO THE “VETO” REFORM

The campaigning program of the Liberal party before the 1906 elections posed a threat to the Conservative party, who at that time had the Upper Chamber’s majority. The Liberals advocated social reform, free trade and trade union legislation. Most of the Conservatives opposed all these changes and considered them too socialist, but the Liberals’ campaign did not include any mention about the reform of the House of Lords.¹⁸

The Liberal’s opinion on the Reform of the Upper Chamber changed shortly after the decisive victory of the Liberal Party in the general election of 1906. The Liberal Government enjoyed its comfortable majority in the House of Commons of 130 seats. Opposing this was the Government’s situation in the House of Lords, where they had only 88 peers out of 602 because it was still an unelected body of the Parliament. With a majority like this, the Conservatives possessed enough power to irritate and stop or postpone most of the bills proposed by the Liberal Government.¹⁹

One of these legislations was the 1909 Lloyd George’s budget, also known as the “People’s budget”.²⁰ The main goal of this bill was to fund social measures such as old-age pensions and newly structured health and unemployment insurance.²¹ This bill was not just a budget, but it also contained bills that were previously rejected by the Lords. The bill, therefore, included land reform, licensing restrictions and the legislation the Lords despised the most, redistributive taxation²², a type of taxation where the individuals with higher incomes have a higher percentage tax rate than the individuals with low incomes.²³

¹⁸ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911: Must the Lords Go?* (Basingstoke: Palgrave Macmillan, 2011), 10-11.

¹⁹ Chris Ballinger, *The House of Lords 1911-2011*, 15-16.

²⁰ Dr. Robert Saunders, “Should the House of Lords Be Reformed or Abolished?,” Mile End Institute, August 27, 2020, <https://www.qmul.ac.uk/mei/news-and-opinion/items/should-the-house-of-lords-be-reformed-or-abolished-dr-robert-saunders.html>.

²¹ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 13.

²² Chris Ballinger, *The House of Lords 1911-2011*, 21.

²³ “Redistributive Taxation.” Cambridge Dictionary. Accessed March 20, 2022. <https://dictionary.cambridge.org/dictionary/english/redistributive-taxation>.

The Government prepared carefully and looked extensively into the legality and financial complications that would arise if the budget was vetoed. Herbert Henry Asquith, the liberal Government Prime Minister at the time, let his voice be heard in his speech: “*Rejection by the House of Lords is ... out of the question, for it would bring with it in its train consequences which he would be a bold man to forecast or foresee. That way revolution lies.*”²⁴ This almost like threat sounding declaration proved to be futile. The House of Lords rejected the bill in the second Reading with 350 votes against and only 75 in favour. A declaration was linked to this rejection by the Lords, stating that the public should decide about the bill,²⁵ and Prime Minister Asquith agreed.

2.2 FIRST GENERAL ELECTION 1910

The rejection of the “Peoples’ Budget” triggered new general elections, which took place in January of 1910. The verdict of the public was in favour of the Liberals as they won the elections again. It was not the same landslide victory as in the 1906 elections. At the end of the election, both parties had an almost identical number of seats. The Liberals had 275 against the Conservatives’ 273. For a legislative majority, the Liberal Government needed the support of 40 Labour party MPs and 71 Irish Nationalist MPs.²⁶

The Irish Nationalists originally opposed the “People’s Budget in 1909. The Liberal Government was forced to make a compromise to secure their support. The compromise was that the whiskey tax was to be excluded from the “Peoples’ Budget” and the promise of Home Rule for Ireland.²⁷ The Home Rule could not be achieved while the House of Lords with a Conservative majority still had the veto power. The veto power is the reason why Irish MPs requested the reform drafts that would limit this power and assurance that it would be secured within a year.²⁸

The most pressing issue for the Government was the approval of the budget, but the support of Irish MPs was needed to achieve this. The preparation of a complete reform is very time-consuming, and there was no sentiment among the reformers to compromise.²⁹ On the 26th of February 1910, the decision was made that the limitation of the Lord’s veto would be the primary goal of the Cabinet. The reformists had to be content with the limitation

²⁴ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 14.

²⁵ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 14-15.

²⁶ Philip Norton, “Resisting the Inevitable? The Parliament Act 1911,” *Parliamentary History* 31, no. 3 (2012): pp. 444-459, doi:10.1111/j.1750-0206.2012.00350.x., 451.

²⁷ Chris Ballinger, *The House of Lords 1911-2011*, 23.

²⁸ Chris Ballinger, *The House of Lords 1911-2011*, 24.

²⁹ Chris Ballinger, *The House of Lords 1911-2011*, 24.

of the Veto with the hope that this change would be a precursor to a more comprehensive reform.³⁰ The Cabinet on the 13th of April 1910 decided that it was time to press the Budget through the Parliament. On the following day, the Cabinet introduced the veto limiting Parliament bill to the House of Commons to secure the votes of the Irish MPs.³¹

2.3 PASSING OF THE BUDGET AND PARLIAMENT BILL

The first hearing on the 14th of April 1910 introduced the three main resolutions of the Parliament bill. The first resolution: the Lords were to be stripped of their right to veto, reject, or amend finance bills. The second resolution: any bill approved three times in a row by the House of Commons but rejected by the lords, and if two years have passed between the First Reading and the Third Reading in the House of Commons, the bill would be passed without the approval of the Upper Chamber. Third resolution: limitation of the Parliament's duration from seven to five years.³² This was enough to secure the majority for the passing of the budget. All of the resolutions were passed through the House of Commons the following day with majorities of around one hundred.³³

The Liberals expected the Lords to reject the bill, so Prime Minister Asquith decided to approach King Edward VII. He approached him to ask for assurances that if the situation around the Parliament bill would reach its deadlock, should the Lords object the bill, the King would support the Government through his right to create new peers. King Edward VII pledged his support if this situation would occur.

The Third Reading of the "People's Budget" in the House of Commons took place on the 27th of April and unsurprisingly was passed. The House of Lords afterwards obeyed the people's will, which was reflected in the election and grudgingly passed the bill on the 28th of April. Thus, the amended "People's budget" was secured. Now the Cabinet could direct all its attention toward the veto limitation. The surprising death of King Edward VII meant that the Liberals had to win the support of the new monarch. But the creation of new peers so early into new King George V's reign would be considered somewhat controversial.

Therefore, the two largest parties decided to establish a new committee to avoid public critique of the Sovereign. This committee consisted of the most prominent members of the two largest parties, the Liberals and Conservatives. The Labour and Irish representatives

³⁰ Chris Ballinger, *The House of Lords 1911-2011*, 25.

³¹ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 18.

³² Philip Norton, "Resisting the Inevitable? The Parliament Act 1911, 451.

³³ Chris Ballinger, *The House of Lords 1911-2011*, 25.

were excluded mainly because of the disagreement about Irish Home rule. The committee was called the Constitutional Conference, and its members discussed the resolutions of the Parliament bill between the 17th of June and the 10th of November at 22 sittings.³⁴ Both sides publicly stated that they are genuinely interested in reaching a compromise. These claims proved futile as the constitutional conference failed to reach an agreement between the two parties involved.³⁵

Immediately after the end of the conference, the Cabinet decided that they would fight for the Parliament Bill again in the elections, just as they did in the case of the Budget. Asquith made it his goal to get a pledge of support from George V if the Liberals defended their mandate in the election.³⁶ King's support was laid in the creation of new Liberal peers that would overwhelm the House of Lords and secure a pro-Government majority. Dissolution of the Parliament took place on the 28th of November.³⁷ In subsequent general elections in December 1910 the Conservatives and Liberals ended up with the same number of seats, 272 to be exact. The old-new Liberal Government still had to secure the votes of the Labour and Irish MPs to gain the majority in the House of Commons. However, the alliance of the three parties endured through the elections.

With the majority secured the Cabinet introduced the same version of the Parliament bill to the House of Commons on the 21st of February 1911.³⁸ The bill again passed through the House of Commons. But the situation in the House of Lords was very different. The peers of course opposed the bill that would limit their power. They amended the bill into an unrecognisable form. The Acting Prime Minister Henry Asquith later said: "*in the course of six days, it was as completely transformed as though no General Election had been held*".³⁹

With neither side willing to change their stance about the bill, Asquith then wrote a letter to Lord Lansdowne, who was at that time the leader of the Conservatives in the House of Lords. He informed him about the assurance of the King, that he would create the new peers to secure the passage of the bill through the House of Lords.⁴⁰ This presented a dilemma to the Conservative peers, they did not want to pass the bill limiting their veto power, but if

³⁴ Chris Ballinger, *The House of Lords 1911-2011*, 26-27.

³⁵ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 19-22.

³⁶ Philip Norton, "Resisting the Inevitable? The Parliament Act 1911," 451.

³⁷ Chris Ballinger, *The House of Lords 1911-2011*, 28.

³⁸ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 24.

³⁹ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 24.

⁴⁰ Philip Norton, "Resisting the Inevitable? The Parliament Act 1911, 452.

they would still oppose it, they would risk losing their majority in the House of Lords. The dilemma split the Conservatives into two factions. One faction capitulated in the fear of the House of Lords being flooded with Liberal peers and decided that when the time comes, they will abstain from a vote about the Parliament bill. The second faction was die-hard opposers of the bill called the “ditcher contingent”.⁴¹ Lord Lansdowne published a letter in a newspaper trying to persuade as many of his fellow party members as possible to abstain from the vote. This effort got a few Conservatives to switch factions. However, it was not enough.

When the situation looked most dire, the third Conservative faction emerged. The “Judas Peers”.⁴² As their name suggests, these Lords were prepared to betray their party, they would not vote against, nor they would abstain. Their plan was to vote in favour of the Parliament Bill, betraying their party. There were several reasons for their decision. First, they did not want to put the Monarch into a controversial situation where he would have to create new peers so early into his reign. Secondly, like the abstainers, they feared the loss of the Conservative’s majority in the House of Lords. These 36 “Judas Peers” proved to be decisive in the passing of the Parliament Bill. Because the bill was passed in the House of Lords by 131 in favour to 114 against on the 11th of August.⁴³ Only one week later, on the 18th of August 1911, the Sovereign gave the Bill his Royal Assent, thus the Parliament Act 1911 officially came into force.⁴⁴

The first reform of the House of Lords in the 20th Century was the Parliament Act 1911. This reform came into existence after the Lords rejected the budget. The rejection led to the first elections. The Liberals did not win a landslide victory, but they were able to secure a legislative majority, with the support of the Irish and Labour MPs. These inconveniences, caused by the Lords, forced the Liberals to introduce a bill that limited the power of the House of Lords. The reform took away from the House of Lords their right to veto money bills. The right of veto over other public bills allowed them to delay the bill only for 2 years. The last change was that the duration of the Parliament was shortened to a maximum of five years. This reform, therefore, targeted only the power of the Lords, not the composition of the House of Lords. The second general elections and the threat of the creation of new

⁴¹ Peter Raina, *House of Lords Reform: A History* Vol. 2. (Oxford: Peter Lang, 2013), 25.

⁴² Philip Norton, “Resisting the Inevitable? The Parliament Act 1911,” 453

⁴³ Chris Ballinger, *The House of Lords 1911-2011*, 28-29.

⁴⁴ “Parliament Act 1911.” Statute Law Database, March 31, 1979.
<https://www.legislation.gov.uk/ukpga/Geo5/1-2/13/introduction>.

Liberal peers was needed to secure a passage of this reform bill through the House of Lords. The passage of the Act of Parliament 1911 proved to be crucial in the further reform of House of Lords in 1949, done by on the verge of 20th century increasingly popular Labour party.

3 THE PARLIAMENT ACT 1949

Thirty-four years passed since the last reform of the House of Lords. Meanwhile, two world wars started. During them, there certainly was no time for reforms of the House of Lords. The Second World War was not over yet, the war was still raging in the Pacific, but peace was achieved in Europe. In the UK life slowly began to return to normal. The return to a normal life also meant holding of the general election, which was postponed because of WW2. This election was won by the Labour party. The newly formed Government under Clement Attlee introduced much controversial legislation and eventually amended the Parliament Act of 1911. This chapter focuses on the Labour members' divided opinions on the issue of House of Lords reform and the 1945 post-election period. In other words, this chapter contains a prelude to the Parliament Bill 1947 and ultimately its implementation in 1949.

3.1 FIRST MAJORITY LABOUR GOVERNMENT

Labour clearly won the election in July 1945, and they enjoyed the unprecedented majority of 146 seats over other parties in the House of Commons. But since there was no reform regarding the Upper Chamber's composition, it was still dominated by the Conservative hereditary peers. There were only 16 Labour peers in a chamber of over 700.⁴⁵ In their pre-election manifesto, the Labour party mentioned that if the Lords were to obstruct the Government's work, the Lords would be met with repercussions. However, they did not mention what the repercussions would look like.

The views of individual Labour members on reform varied widely. Some of them were in favour of abolishing the House of Lords altogether and creating a unicameral Parliament, but this would mean that their work would be transferred to the House of Commons, which was already busy enough at that time. Others wanted to strip the Lords of even more power, and some of them wanted to change the Upper Chamber's composition.

But in the first three years of the Government's rule, there was no need for reform. The Conservative peers interestingly did not obstruct any of the legislation proposed by the Prime minister Attlee's Government. Interestingly because Attlee's Cabinet enacted some far-left legislation. They pursued many economic and social changes in the UK. The Cabinet was truly busy. Some of those enacted policies were the nationalisation of hospitals and the subsequent creation of the National Health Service, the creation of a welfare state under the

⁴⁵ Meg Russell, *The Contemporary House of Lords*, 30.

National Insurance Act 1946, and the nationalisation of coal and electricity industries during the 1945-1947 Governmental session. The nationalisation of previous industries was recognised by some Conservatives as an appropriate step towards after-war economic stability because some of the resources were of strategic value or were at a loss when privately owned.⁴⁶ It was the nationalisation of another heavy industry that renewed the Cabinet's call for reform of the House of Lords.

3.2 THE NATIONALISATION OF IRON AND STEEL

The Conservatives considered the nationalisation of iron and steel more controversial. The iron and steel industry was way more complex than the previously nationalized industries. This industry was owned by huge organizations. Fierce resistance to the nationalisation by these organisations was expected. It was such a complicated task that even some Labour members questioned the benefits of this nationalisation.⁴⁷ The position of this legislation was fickle, and the Atlee's Government feared that if the steel and iron bill was introduced and later delayed by the Lords for two years, it would fail completely.

The nationalization bill was introduced in the Commons on the 28th of April 1947, three years before the end of the Government's term of office. Three years before, to secure the passage of the Bill before the 1950 general election under the Parliament Act 1911, even if the Lords would force a two-year delay. However, the bill did not reach its First Reading. To the Government's detriment, the U.S. post-War loan limit was almost reached and by August 1947 the country was close to an economic crisis.

Having concerns about the economy, the Government decided that passing of the Bill would be inexpedient since drastic change like this could lead to a distraction and production downturn in the iron and steel industry. Some ministers threatened the Prime Minister with their resignation. They feared that the nationalisation of the iron and steel industry would not be achieved during the Government's term of office. Atlee faced a dilemma, face an inner-party or economic crisis.⁴⁸ The prime Minister came up with a plan. The plan was to amend the Parliament Act 1911.⁴⁹

⁴⁶ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 64.

⁴⁷ Chris Ballinger, *The House of Lords 1911-2011*, 57.

⁴⁸ Chris Ballinger, *The House of Lords 1911-2011*, 58-59.

⁴⁹ Meg Russell, *The Contemporary House of Lords*, 31.

3.3 CROSS-PARTY NEGOTIATIONS

The new bill was to downgrade the Lords' veto power even more. The content of this bill was that the Lords would be able to delay the bills only for one year.⁵⁰ If this bill was passed, it would mean that the nationalisation of the iron and steel industry could be postponed and still could be passed in the following sessions before the elections. The bill was passed through the House of Commons, and it reached the Second Reading in the House of Lords.

At this point, as was the case with the last reform of the House of Lords, another cross-party conference was held. Prominent Conservative, Labour and Liberal members met a total of seven times between mid-February and April 1948.⁵¹ Surprisingly, at the first two meetings, they found common ground on the composition of the House of Lords, but in the end, no agreement was reached on the reform of the House of Lords. After the failed Cross-party talks, the Second Reading was resumed in the Upper Chamber. Lords were initially unable to agree on whether to reject the bill on its Second Reading or to let it pass and amend it in the committee stage.

To reach the statute book, the Parliament bill had to follow the rules of the Parliament Act 1911. This means that from 1947, when the bill was passed by the House of Commons, two years passed before it came into force on the 16th of December 1949.⁵² As for the nationalisation of iron and steel, its bill was officially introduced in 1948. And it reached the House of Lords in May 1949. The Lords protested against the bill and demanded that it should be decided about it after the election. The decision on this Bill was also influenced by a statement by the Minister for Supply, Mr George Strauss: *to appoint a corporation of sufficient calibre on the eve of general election would be impossible*.⁵³ Obstruction by the Lords, and the practical impossibility of effective implementation of nationalisation, meant that the decision about the Bill was not made until after the 1950 election.⁵⁴

The period after the first landslide victory of the Labour party in 1945 proved to be a period of big changes: the nationalization of electricity, coal, rails, gas, and the creation of the National Health Service. These legislations were passed unopposed by the House of Lords. There was harmony between the two Houses. In the face of an economic crisis, Atlee's Government decided to postpone the passage of the iron and steel nationalization

⁵⁰ Meg Russell, *The Contemporary House of Lords*, 31.

⁵¹ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 71.

⁵² Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 83.

⁵³ Chris Ballinger, *The House of Lords 1911-2011*, 72.

⁵⁴ Chris Ballinger, *The House of Lords 1911-2011*, 72.

bill, which was ultimately not achieved until after the general election of 1950. Thus, the original reason for amending the Parliament 1911 Act was not fulfilled. The amendment bill introduced in 1947 sought to reduce the power of the Lords to delay bills from two years to one. Some experts question whether this reform of the Lords' power was really necessary. The Lords did not oppose the Government, as they did in the case of the previous reform between 1906 and 1910, and the nationalisation of iron and steel was not achieved in the Parliamentary term anyway.⁵⁵ But that does not change the fact that another reform that limited the power of the Lords reached the statute book on 9th May 1949. The Parliament Bill was yet another reform limiting the House of Lords' power. The question of the composition was still left unanswered for another nine years until the Life Peerages Act 1958 came to force.

⁵⁵ Chris Ballinger, *The House of Lords 1911-2011*, 73.

4 THE LIFE PEERAGES ACT 1958

The Conservatives won the election in 1951. Although they controlled the House of Lords, they decided to reform its composition. They did that because there were many Lords who were reluctant to get involved in the running of the House of Lords. Lords who did not attend in the Upper Chamber outnumbered regularly attending Lords by four to one. Another reason why the Conservatives sought the reform was to make the House of Lords more representative, which would make it much harder for any future Labour Government to carry out further reforms that would deprive the Lords of their remaining power. It took the Conservatives 8 years to achieve this reform, during which the Conservatives managed to defend their position in two elections and in the course of the shaping of the bill a total of three Prime Ministers switched the office. This chapter describes the background to the creation of the Life Peerages Act 1958, which introduced the new peers who served for their natural life.⁵⁶

4.1 CROSS-PARTY CONFERENCE AND SALISBURY'S COMMITTEE

The Conservatives pledged in their pre-election manifesto that if there is to be a reform of the House of Lords, it will be based on cross-party consensus. But after the Conservatives win in 1951, the Churchill's Cabinet avoided the reform in the early years of their term of office. In early 1956, during the Government's inactivity on the reform of the House of Lords, Viscount Simon presented his own Life Peers Bill.⁵⁷ But Lord Salisbury the fifth, leader of the Conservatives in the House of Lords, immediately informed Simon that his party would not allow any reform to pass before the cross-party conference would take place. Simon's Life Peers Bill was rejected at the Second Reading in the House of Lords.

Meanwhile, the Conservatives announced their willingness to hold a cross-party conference in the Parliament and invited influential individuals from the Labour and Liberal parties. By that time, the already weakened Liberal Party accepted the invite. The conference ultimately collapsed because of the Labour Party's refusal to participate. Since no compromise could be achieved, the Conservatives had to come up with their own reform of the House of Lords's composition.

In April 1953 the Conservatives set up a committee, led by Lord Salisbury, to identify the problems and formulate a bill that would change the composition of the House of Lords.

⁵⁶ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 89.

⁵⁷ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 89-90.

They met only twice in 1953 and failed to come up with a conclusive solution. The question of reform was postponed until 1955.⁵⁸ The committee met again in February 1955. The committee agreed that the reform must be introduced in the coming years, or the Upper Chamber could face its end. The committee also agreed to wait until they will know the result of the upcoming election. The result of the election was that the Conservatives won again, and Anthony Eden was appointed as Prime Minister on the 6th of April 1955. Lord Salisbury immediately pressed on Eden, persuading him that reform of the composition of the House of Lords was necessary.⁵⁹

4.2 TWO VERSIONS OF THE REFORM BILL

Between 1955 and early 1956, the Salisbury's Commission was unable to agree on the form of the Bill. They were at least able to identify the problems of the declining House of Lords. The first problem was the aforementioned non-participation of the Lords in the day-to-day running of the House of Lords. Many of these Lords were Labour MPs who had to earn their own money for living. Another problem was the unrepresentative nature of the House of Lords and its vulnerability against reform. It was difficult to defend a chamber of Parliament that is not elected by the public.

The Commission's proposed solutions to these problems were considered controversial and opposition from the Conservative Lords was expected as one of the changes was to affect the number of hereditary peers. Opposition was also expected from the Labour party, who feared the possibility that the newly more representative House of Lords might try to regain the powers they have lost under Parliament Acts 1911 and 1949.⁶⁰ Therefore, in June 1956 the Committee decided to create two versions of the bill. One complex version contained all their proposals for the reform. If the complex version of the bill would fail and would not be adopted by the Parliament, a simple version of the bill, which contained only the most necessary proposals, was also produced. For the exact details of these two versions of the bill please see the attached table on the next page.

By the end of 1956, the Cabinet was leaning toward the introduction of a more comprehensive version of the bill. The Ministers' opinion changed in the spring of 1957 and their opinion shifted toward a simpler version. One of the reasons why the Cabinet changed its mind was that they feared the opposition from hereditary peers. The other reason was the

⁵⁸ Chris Ballinger, *The House of Lords 1911-2011*, 81.

⁵⁹ Chris Ballinger, *The House of Lords 1911-2011*, 82.

⁶⁰ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 94-100.

current political situation and the Cabinet felt they had more important issues to address. After the decision for the simpler version of the bill was made, it was needed to decide in which Governmental session the reform bill would be introduced. Because of the already packed schedule of the Governmental session of 1956-1957, the Cabinet decided to introduce the reform bill in the 1957-1958 session. Meanwhile, the Second Arab-Israeli War, also known as the Suez crisis, began. It was an event that affected the political scene in the UK.

Table 1 - Two versions of the Salisbury's committee bill

Complex version	Shorter version
Creation of life peers, 200 peers maximum.	Creation of life peers with no maximal limit.
Limitation of hereditary peers to a maximum of 200.	No limitation of hereditary peers.
The possibility of the peers to renounce their position in the House of Lords. For example, to run for the House of Commons.	The possibility of the peers to renounce their position in the House of Lords.
The creation of five new peers to represent the Church of Scotland.	No new peers to represent the Church of Scotland.
The woman peers would gain the same right as men peers, if they were in a hereditary line. Meaning peeresses could also sit and vote in the House of Lords.	No new rights for women peers.
Reimbursement of travel expenses and allowances for attending in the House of Lords. (up to £4-5 per day, ⁶¹ 2 nd April 2022 value equals to about £124.30). ⁶²	Reimbursement of travel expenses and allowances for attending in the House of Lords. ⁶³

⁶¹ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 101.

⁶² "Inflation Calculator." Bank of England. Accessed April 2, 2022. <https://www.bankofengland.co.uk/monetary-policy/inflation/inflation-calculator>.

⁶³ Chris Ballinger, *The House of Lords 1911-2011*, 88.

4.3 AN EVEN SIMPLER BILL

The aftermath of the Suez Crisis forced Prime Minister Eden to resign on the 9th of January 1957. His successor, Harold Macmillan, began his duties the same month. The new Prime Minister informed Lord Salisbury that he was not in favour of a comprehensive reform of the House of Lords. Macmillan preferred a straightforward bill that would only allow for the creation of peers.⁶⁴ Lord Salisbury, the advocate of Comprehensive Reform who led the House of Lords since the end of the Second World War, resigned from his post just two months after Macmillan took office on the 14th of March 1957.

Salisbury was succeeded as Leader of the House of Lords by Lord Home. Moments after taking office, Lord Home presented to the Prime Minister a simple bill that contained only one paragraph, the creation of life peers. Thus, the Salisbury Commission's work on the two versions of the bill came to nought. The Cabinet feared that presenting such a simplified version of the reform could give the opposition a sense that the Government was weak and lacked the confidence to push through comprehensive reform. Once again, a long debate began on how to redraft the bill. The debate resulted in two additional proposals that would modify the simplified bill.

The first proposal concerned the renunciation of hereditary peers. The Government rejected this proposal because it feared an outflow of qualified peers who would then seek a seat in the House of Commons.⁶⁵ The second proposal was the addition of women to the creation of life peers. And also, to allow women hereditary peers to participate in the House of Lords. In the end, the Government decided to limit the addition of the bill only to include women in the creation of life peers. The First Reading of the Bill took place in the House of Lords on 3 December 1957. It passed through the House of Lords without a problem. The bill was met with opposition in the House of Commons. Labour considered amending the Bill, but in the end, the bill passed through the second chamber and came into force. The Life Peerages Act 1958 was written, after its Royal Assent, into the statute book on the 30th of April 1958.⁶⁶

4.4 THE NEW LIFE PEERS

As a result of the implementation of the Life Peerages Act 1958, the first 14 life peers were created on the 24th of July 1958. Only 4 of them were from the Conservative Party ranks,

⁶⁴ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 101.

⁶⁵ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 104-105.

⁶⁶ Chris Ballinger, *The House of Lords 1911-2011*, 90-94.

no more were necessary because the hereditary peers were overwhelmingly Conservative. Four life peers were given to the Crossbenchers. The original intention of the reform was to create a more representative and credible House of Lords; thus the reform was about strengthening the opposition, but only six created life peers were from the Labour Party.⁶⁷ There was Labour's unwillingness to become life peers, they preferred to stay in the House of Commons. The Labour leader, Lord Gaitskell, had difficulty attracting at least these six new members from his own ranks to the House of Lords.⁶⁸ For the first time in history, women also sat among the Lords, four in total.⁶⁹ Although the new life peers were few in proportion to the total number of members of the House of Lords, their work was visible. Throughout the rest of the century, many other life peers were created and selected from a variety of fields. By diversifying the knowledge of the peers, the House was able to make more qualified decisions and became more effective and popular.⁷⁰

Finally, after more than half of the twentieth century, the composition of the House of Lords was reformed. It was not achieved by either of the left-wing parties, Liberal or Labour, it was achieved by the Conservative party. But why would the Conservatives reform a House in which they had an absolute majority? The Conservatives wanted to improve the representativeness and effectiveness of the second chamber because the chamber as it was before the reform would be difficult to defend against a possible disempowerment initiated by a future Labour Government. The two versions of the bill produced by Lord Salisbury's committee proved to be a waste of effort. Since the administration of Prime Minister MacMillan chose to push through the simplest possible version of the bill. Although the reform was only to create new life peers, it proved sufficient to achieve the original aim, in the years that followed the House of Lords became a more representative and effective part of the Parliament than it was before. However, some problems still remained unaddressed. What about the surplus of hereditary peers, many of whom did not even participate in the business of the House? What about hereditary peers who wanted to give up their right to sit in the House of Lords, but the law forbid them to do so? The answers to both of these questions came in the following years. Viscount Stansgate's initiative ensured that the second question was answered in just five years.

⁶⁷ Sarah Tudor, "Life Peerages Act 1958: First Life Peers - House of Lords." (UK parliament, March 28, 2018), <https://lordslibrary.parliament.uk/research-briefings/lln-2018-0036/>.

⁶⁸ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 113.

⁶⁹ Sarah Tudor, "Life Peerages Act 1958: First Life Peers - House of Lords."

⁷⁰ Philip Norton, *Reform of the House of Lords*, 24.

5 THE PEERAGE ACT 1963

The Life Peerages Act 1958 left many unresolved issues concerning the House of Lords. What about peers who inherit the duty to sit in the House of Lords but do not wish to do so? Imagine a man with a political vision, an elected member of the House of Commons, forced to give up his elected seat because his father was a hereditary peer. How do you oppose it, when the law forbids you to renounce a seat which you inherited and did not want?

“I think all big changes occur when public opinion shifts and then, in the end, the guys in the Parliament realize that they have to concede”⁷¹

Anthony Wedgewood Benn’s words, said in a BBC television programme *Change-makers*, accurately describe his story in which he succeeded in changing the law that forbade him to give up his seat in the House of Lords. Anthony Wedgewood Benn, Labour MP, publicly known as Tony Benn was not the only one who wanted to give up his place in the House of Lords throughout history, but it was his persistence that forced the Government of that period to change the legislation. This chapter describes Viscount Stansgate’s initiative that led to The Peerage Act 1963.

5.1 THE UNWANTED INHERITANCE

Tony Benn’s father, William Wedgewood Benn, got his seat in the House of Lords in 1941. In his case it was not about earning a title for his merit, but about increasing Labour’s representation in the House of Lords. The reason behind the creation of the title Viscount Stansgate was therefore purely political. William Benn discussed his lordship with his heir, his eldest son, Tony Benn’s brother, Michael Benn. Since Michael Benn had no political ambition inheriting the peerage meant nothing to him, nor to Tony Benn as he was not first in the line of succession. However, Michael Benn died in a plane crash in 1944, making Tony the heir of the title Viscount Stansgate.⁷² Despite this, Tony Benn decided to stand for the House of Commons in the Bristol South East constituency in the 1950 general election. He succeeded, becoming the Labour MP. He was well aware that after the death of his father he would have to leave his seat in the House of Commons for a seat in the House of Lords. He decided to propose a bill in 1954, the Wedgewood Benn Renunciation Bill. His Bill was not a reform, it was purely about his ability to renounce the title that he would inherit.

⁷¹ “1963 Peerage Act and Former Labour MP Tony Benn.” BBC. Accessed April 5, 2022. <https://www.bbc.com/news/av/uk-politics-13991290>.

⁷² Chris Ballinger, *The House of Lords 1911-2011*, 104.

His bill did not apply to other Lords. His bill was rejected.⁷³ The justification for the rejection was that the promotion to the Lords and the consequent duty to sit in the House of Lords was not about the individual but about the interests of the country.⁷⁴ Another reason for rejection was that the Salisbury's Committee was at that time already working on a comprehensive reform of the House of Lords.

The Bill drawn up by the Salisbury Committee, as mentioned in the last chapter, was in the end replaced by a version of the Bill which did not include the renunciation of the peerage. Two years after the enactment of the Life Peerages Act 1958, William Wedgwood Benn died, triggering the whole succession process, which meant Tony Benn could no longer sit as an MP in the House of Commons.⁷⁵ Tony Benn, the new Viscount Stansgate with a title he did not ask for, renewed his fight to remain an MP. He attempted to refer to the ambiguity in the law, he tried to get support from his fellow MPs through petition. None of that worked. But Tony Benn did not give up and to achieve his goal he decided to run again for the House of Commons even though he was banned from sitting in it.⁷⁶

5.2 TONY BENN'S CANDIDACY

Law prohibited Tony Benn from sitting in the House of Commons because of his inherited peerage, but no legislation stated that a peer could not stand for election to the House of Commons. He approached prominent figures in the Labour Party to gain support for his cause. Hugh Gaitskell, leader of the Labour party, did not want to deal with the issue and did not support Tony Benn. Ironically, Winston Churchill, undeniably one of the most important figures of the Conservative Party in history, expressed his support to Tony Benn.⁷⁷ Tony Benn defended his seat in the House of Commons at the election on the 6th of May 1961. He defeated his Conservative rival by more than double the number of votes. Tony Benn received 23,275 votes, his opponent only 10,231.⁷⁸

His case was then taken up by the Electoral Court, which ruled against Tony Benn. Tony Benn was replaced in the House of Commons by his Conservative opponent, Malcolm St Clair. An opponent who was not elected by the majority. This decision looked bad in the eyes of the public, the peerage and the House of Lords being prioritized over democratic

⁷³ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 118.

⁷⁴ Chris Ballinger, *The House of Lords 1911-2011*, 106.

⁷⁵ Mari Takaynagi, "A Changing House: The Life Peerages Act 1958," 390.

⁷⁶ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 118-119.

⁷⁷ Chris Ballinger, *The House of Lords 1911-2011*, 108-109.

⁷⁸ Chris Ballinger, *The House of Lords 1911-2011*, 111.

representation in the House of Commons. Public opinion began to turn towards Tony Benn. His case was written about in the newspapers and talked about on the streets, forcing the Macmillan's Conservative Government to act.⁷⁹

5.3 ADDRESSING TONY BENN'S CASE

Tony Benn's tenacity and persistence forced the Government to move the House of Lords reform up their agenda. In April 1961 it was decided to establish Joint Committee. It was originally decided that it should deal with the right to renounce peerage, or the ability of peers to run for and sit in the House of Commons. However, Prime Minister Macmillan suggested that the Committee should consider the reform in more depth, for example taking into account the limitation of hereditary peers. The haggling over the matters to be dealt with by the committee and its composition meant that the Committee did not meet until the 9th of May 1962, more than a year after the decision to establish it.⁸⁰

The Committee met a total of 13 times and presented their proposals to the Government in December 1962. These proposals were as follows: Individuals should have the right to renounce their seats in the House of Lords. They must notify their intention within one year of inheriting the position. Serving MPs must give notice of their renunciation within one month. Those who inherited their peerage before the Act came into force have 6 months for their renunciation.⁸¹ In addition, Scottish Peers should be given the right to sit in the House of Lords.⁸² Finally, the right to sit in the House of Lords should also be given to women hereditary peeresses.⁸³

The bill was introduced in the House of Commons on the 30th of May 1963. The only obstacle that hindered the enactment of the bill was the decision on when the bill would enter into force. The Government wanted this to happen at the time of the next elections. They argued that the reform should not interfere with a Parliament that had been in operation for several years. However, Labour opposed it and proposed the amendment of the bill, stating that the bill would come into force immediately after its approval, thus before the elections. After some debate and disagreements, the Government eventually capitulated and

⁷⁹ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 119.

⁸⁰ Chris Ballinger, *The House of Lords 1911-2011*, 115-116.

⁸¹ Chris Ballinger, *The House of Lords 1911-2011*, 118.

⁸² "Peerage Act 1963." UK Parliament. Accessed April 5, 2022. <https://www.parliament.uk/about/living-heritage/evolutionofparliament/houseoflords/house-of-lords-reform/from-the-collections/from-the-parliamentary-collections-lords-reform/lords-reform-1963-1999/peerage-act-1963/>.

⁸³ "Viscountess Rhondda, Women & the House of Lords." UK Parliament. Accessed April 6, 2022. https://www.parliament.uk/globalassets/documents/parliamentary-archives/Viscountess_Rhondda_Women_House_of_Lords.pdf.

agreed to the amendment.⁸⁴ The Peerage Act 1963 reached the statute book on the 31st of July 1963.⁸⁵ Tony Benn, Viscount Stanstage, promptly renounced his seat in the House of Lords on the same day. In response, Malcolm St Clair, Tony Benn's Conservative rival, resigned his seat in the House of Commons. A forced by-election followed, in which Tony Benn won by receiving almost 80 per cent of the total vote.⁸⁶ However, it should be noted that the Conservatives did not put their representative up for the by-election election.⁸⁷

Anthony Wedgewood Benn got his way. After winning two elections, after many requests for a review of his case, after rallying public support, the Peerage Act 1963 enabled him to renounce his seat in the House of Lords and resume his role as an MP. He succeeded after thirteen years of trying, thanks to his stubbornness and courage. He dared not to follow the herd, the herd being the Labour party, who showed no sentiment towards his cause, and the Government, who initially refused to deal with his issue. Tony Benn's case could have been resolved by the Life Peerages Act 1958 if only the Macmillan Cabinet had opted for one of the two reform versions proposed by Lord Salisbury's committee. However, Tony Benn's case had an added value, with Scottish peers and female hereditary peers newly able to sit in the House of Lords. This second reform of composition by the Conservative Government proved to be the last for the next 33 years until the rise of the New Labour Government led by Tony Blair.

⁸⁴ Chris Ballinger, *The House of Lords 1911-2011*, 119-122.

⁸⁵ Mari Takaynagi, "A Changing House: The Life Peerages Act 1958," 390.

⁸⁶ Chris Ballinger, *The House of Lords 1911-2011*, 122.

⁸⁷ Peter Dorey and Alexandra Kelso, *House of Lords Reform since 1911*, 132.

6 THE HOUSE OF LORDS ACT 1999

It was not until the closing years of the 20th century that the House of Lords reform that dealt with hereditary peers was enacted. It took nearly 100 years to reform the cause why the House of Lords was so criticised. The reason why no reform was achieved, was that the Conservatives had no need to reform the House of Lords. Why would they? Most of the Lords were Conservatives. Labour, even though they wanted the reform, were not able to get enough votes to successfully implement the reform of the Upper Chamber. Labour finally obtained its legislative majority in the 1977 election. At last, new Prime Minister Tony Blair and his Government were not afraid to do something about hereditary peers. However, the process leading up to reform was again an unpleasant one. This chapter describes the background and the process of shaping the House of Lords Act 1999, the last House of Lords reform of the 20th century.

6.1 LABOUR'S CHANGE OF MIND

Labour party manifestoes during the 1980s stated that their aim was the complete abolition of the undemocratic House of Lords.⁸⁸ However, in the 1990s the labour members changed their attitude. The reason why they changed their minds was the Conservative Government led by Margaret Thatcher from 1979 to 1990.⁸⁹ Thatcher's Cabinet in those years reversed a lot of policies enacted by the Labour. Her Cabinet privatized all previously nationalized industries, except the National Health Service. Labour in opposition had no chance to prevent these legislations. Lord Hailsham warned that the Conservative dominance at that time could lead to "elective dictatorship",⁹⁰ a situation where the Government controls both houses of parliament and there is no legal way for the opposition to oppose the policies enacted by the ruling party.⁹¹

That is why the Labour party reached the conclusion that the House of Lords, once reformed, could serve as the body of the Parliament that would scrutinise and control the work of the Government. Labour planned to do the makeover of the House of Lords in two phases. In the first phase, they would abolish the hereditary peers and in the second phase, they would come up with an electoral system for the House of Lords.⁹² However, reform

⁸⁸ Dorey and Kelso, *House of Lords Reform since 1911*, 172-173.

⁸⁹ Dr Robert Saunders, "Should the House of Lords Be Reformed or Abolished?"

⁹⁰ Dorey and Kelso, *House of Lords Reform since 1911*, 174.

⁹¹ Malcolm Aldons "The 'Elective Dictatorship' — Fact or Fiction?" *Australasian parliamentary review* 17, no. 2 (September 2002): 69–78. <https://doi.org/10.1.1.622.23&rep=rep1&type=pdf>

⁹² Dorey and Kelso, *House of Lords Reform since 1911*, 175.

could not be achieved in opposition. After the 1997 election, the scales finally tipped in Labour's favour.

6.2 NEW LABOUR GOVERNMENT AND SECRET NEGOTIATIONS

The result of the May 1997 general election was the biggest Labour victory in history so far. Now it was their turn, and the Conservatives were in opposition. But reform of the House of Lords had to wait. Tony Blair's Cabinet decided that devolution and human rights reform were to have priority and had to be implemented in the first Governmental session. Because of this, the reform was postponed for a year and a half. However, in January 1998, a committee was set up by the Cabinet to examine the first phase of the reform of the House of Lords.

At the same time, prominent Labour and Conservative representatives began to meet in secret to seek a consensus on the reform. One of these representatives was Viscount Cranborne, the leader of Conservatives in the House of Lords, who was also a grandson of Lord Salisbury.⁹³ The latter was Lord Richard, the Labour leader in the House of Lords. Lord Richard was especially keen to prioritise the second phase of reform instead of the first "abolition" phase, and he was insistent in this regard, which earned him a sacking from the Government.⁹⁴ Lord Richard was replaced by the Baroness Jay of Paddington.⁹⁵ Tony Blair gave her a clear task, to get rid of the hereditary peers, but she was not the one who continued to negotiate with Viscount Cranborne. Baroness Jay appointed Lord Derry Irvine to represent the Government in these secret negotiations.⁹⁶ The Government feared opposition in the House of Lords over the abolition of hereditary peers. It was afraid of Lord's delay power and wanted to avoid the process which would follow under the Parliament Acts 1911 & 1949 at all costs. Lord Irvine, therefore, had to reach an agreement with Viscount Cranborne at whatever political cost.⁹⁷

6.3 CRANBORNE-IRVINE AGREEMENT

Lord Cranborne persuaded Lord Irvine that for the smooth passage of the reform through the House of Lords it would be necessary to retain at least some of hereditary peers, so that these

⁹³ Ballinger, *The House of Lords 1911-2011*, 162-167.

⁹⁴ Dorey and Kelso, *House of Lords Reform since 1911*, 177-178.

⁹⁵ Dorey and Kelso, *House of Lords Reform since 1911*, 178.

⁹⁶ Cockerell, Michael. "The Politics of Second Chamber Reform: A Case Study of the House of Lords and the Passage of the House of Lords Act 1999." *The Journal of Legislative Studies* 7, no. 1 (2001): 119-34. <https://doi.org/10.1080/714003866>.

⁹⁷ Ballinger, *The House of Lords 1911-2011*, 170.

peers could convince their colleagues about the rightness of the reform.⁹⁸ After some debating, they agreed on 75 peers. In addition, Viscount Cranborne proposed to include 15 committee chairmen and Lord Great Chamberlain plus the Earl Marshal. Lord Irvine agreed to add a further 17 hereditary peers because they were active and useful members of the House of Lords, and their loss would require their replacement. Thus, the final number of hereditary peers that would remain until the second phase of the reform ended up at 92. Another matter that Viscount Cranborne required was that the remaining 75 hereditary peers would be selected by the members of the House of Lords themselves.⁹⁹ Lord Irvine and Viscount Cranborne finally reached an agreement.

The Conservative leadership was originally in favour of the agreement, but after their successful win in the House of Lords on the European Parliamentary Elections Bill, they changed their minds. Viscount Cranborne, despite the disapproval from his Conservative party, continued with the negotiations and warned Lord Irvine about possible opposition from the Conservatives. The Conservative leadership eventually sacked Viscount Cranborne and replaced him with Lord Strathclyde. Lord Strathclyde accepted the position on the condition that the Cranborne-Irvine agreement would be honoured. In order to make the agreement as least controversial as possible, after all, it was a secret that most members of both parties did not know about, it was decided that the agreement should be proposed by a crossbencher, a peer who did not belong to either party. The crossbencher who would propose the contents of the Cranborne-Irvine agreement in the House of Lords was the former Lord Speaker, Lord Weatherill.¹⁰⁰

6.4 ABOLITION OF MOST HEREDITARY PEERS.

Once the agreement was complete, it was time to introduce the bill. The House of Lords Bill was very straightforward. The main point was the abolition of hereditary peers. The Government was concerned that if the agreement was written into the Bill from the outset, the Lords might use their delay power and therefore it was strategically decided not to use the Cranborne-Irvine agreement until the Second Reading in the House of Lords at the amendments stage, making it Lords' very own amendment. The second point of the Bill was the ability of abolished hereditary peers to stand for the House of Commons without having to renounce their title under the Peerage Act 1963. The bill passed through the House

⁹⁸ Dorey and Kelso, *House of Lords Reform since 1911*, 178.

⁹⁹ Ballinger, *The House of Lords 1911-2011*, 171.

¹⁰⁰ Ballinger, *The House of Lords 1911-2011*, 171-173.

of Commons without major complications¹⁰¹ and on the 17th of March, it reached the House of Lords.¹⁰²

The Cranborne-Irvine agreement was, as arranged in secrecy, introduced by Lord Weatherill as an amendment at the Second Reading of the Bill. Another amendment to the bill was a decision on how the remaining hereditary peers would be elected. Thus, the second amendment provided that 15 hereditary peers would be elected by all members of the House of Lords, while the remaining 75 peers would be allocated among the parties and those peers would be selected by the peers from their corresponding parties.¹⁰³ The Lords proposed many more amendments to the Bill, but only two aforementioned amendments were passed. The second Reading and amendment stage of this Bill was the longest in the history of the House of Lords, with the whole debate taking two full days. The House was addressed by 180 peers.¹⁰⁴ The House of Lords Bill was passed by a majority of 140 on its Third Reading, with Conservative Peers abstaining. The amended bill was returned to the House of Commons, where it was again passed without problems.¹⁰⁵ The House of Lords Bill was consequently written into the statute book on the 11th of November 1999.¹⁰⁶ As a result, most of the hereditary peers were abolished, leaving only 92 out of the original 647.¹⁰⁷

Labour originally wanted to abolish the House of Lords altogether. The Government of Margaret Thatcher and her "elective dictatorship" changed Labour's mind. Their new policy was a House of Lords, without hereditary peers and with equal representation of all parties. Such reformed House of Lords would serve as a body of the British Parliament that would scrutinize and check the work of the Government. Their opportunity came in 1997 after the Labour Party's election victory. However, the new Government led by Prime Minister Tony Blair postponed the reform because it had other more important issues to deal with. They did not return to the reform until 1998. As the Labour Government feared the possible inconvenience of using the Lords' delay power, it was decided to negotiate in secret. The result of these secret negotiations was the Cranborne-Irvine agreement. In order to avoid controversy, this agreement was introduced by the crossbencher Lord Weatherill during

¹⁰¹ Ballinger, *The House of Lords 1911-2011*, 174

¹⁰² Alexandra Kelso, "Stages and Muddles: The House of Lords Act 1999," *Parliamentary History* 30, no. 1 (2011): 101-113, <https://doi.org/10.1111/j.1750-0206.2010.00238.x>.

¹⁰³ Dorey and Kelso, *House of Lords Reform since 1911*, 183-184.

¹⁰⁴ Ballinger, *The House of Lords 1911-2011*, 174

¹⁰⁵ Michael Cockerell, "The Politics of Second Chamber Reform: A Case Study of the House of Lords and the Passage of the House of Lords Act 1999," 132.

¹⁰⁶ Dorey and Kelso, *House of Lords Reform since 1911*, 184.

¹⁰⁷ Feargal McGuinness, "House of Lords Statistics - House of Commons Library" (UK Parliament, July 4, 2012), <https://commonslibrary.parliament.uk/research-briefings/sn03900/>.

the Second Reading in the House of Lords. With this amendment to the Bill, 92 hereditary peers were allowed to remain in the House of Lords, with the expectation that they would be abolished in the second phase of reform that would be forthcoming with the new electoral system into the House of Lords. However, the second phase with the electoral system still has not yet materialized, leaving 92 hereditary peers in the House of Lords as an unfinished business, but at least the domination of the Conservative party in the House of Lords after more than a century ended.

CONCLUSION

The 20th century was indeed a historic turning point for the House of Lords. Five reforms that changed the power and composition of the House of Lords were implemented. Behind every reform that was implemented, there were events, personalities and motives that led to them.

The first reform was implemented by the Liberal Party. The Liberals did not originally plan to reform the House of Lords, but they were forced to do so by the Lords themselves who delayed and stopped almost every bill proposed by Asquith's government. The last straw was the rejection of the "People's budget". This action triggered two public elections, both of them won by the Liberals. The Parliament Act 1911 removed the House of Lords' ability to veto Finance Bills. As for other Bills, the Lords could delay them for a maximum of two years. The Parliament Act 1949 was implemented by the first Labour government, who planned to implement the nationalisation of the iron and steel industry and feared that the Lords, with their delay power, might cause this nationalisation to be delayed until after the election. This amendment to the Parliament Act 1911 reduced the delay power of the Lords from two years to one.

Surprisingly, the first to reform the composition of the House of Lords were the Conservatives. They were aware that the House of Lords as it stood before the reform was undefendable in the event of future Labour reform aimed at restricting the Lord's power. Lord Salisbury and his committee came up with two versions of the House of Lords reform. Unfortunately, both versions were replaced by the simplest possible version of the reform after Prime Minister Macmillan's decision. The Life Peerages Act 1958 at least brought new life peers into the House. Life peers immediately proved useful and enlivened the decaying House of Lords. Had Prime Minister Macmillan chosen one of Salisbury's versions of the reform bill, he would have saved himself from the unnecessary troubles. Both versions included the ability of peers to renounce their seats in the House of Lords.

The possibility to renounce their peerage for the peers was made possible thanks to Tony Benn, holder of the title of Viscount Stansgate. His candidacy for the House of Commons won him public support, putting enough pressure on Macmillan's government to come up with another reform of the House of Lords. The Peerage Act 1963 made it possible for him to resign from the House of Lords and return to the role of an MP. The Scottish peers and women hereditary peers were also newly allowed to sit in the House of Lords.

Margaret Thatcher's government and her "elective dictatorship" forced Labour to change its mind about abolishing the House of Lords. Their new vision was the House of Lords that would act as a check on the government. Furthermore, it should be democratic, which means that members should be elected to it. Labour planned to achieve this in two phases. In the first phase, they would abolish hereditary peers and in the second phase they would come up with an electoral system. After Tony Blair took the office, the first phase of reform took place, but not all hereditary peers were abolished. Labour feared opposition from the Conservative Lords and therefore began secretly negotiating with representatives of the Conservative party. The result of these secret negotiations was the Cranborne-Irvine agreement that ensured that 92 hereditary peers out of 647 would remain. And so, the House of Lords entered the 21st century with almost no hereditary peers, with much less power but thanks to the life peers more effective and representative. Hereditary peers, who were the cause of most of the criticism directed at the House of Lords, remain an unfinished business to the present day.

BIBLIOGRAPHY

- Aldons, Malcolm. "The 'Elective Dictatorship' — Fact or Fiction?" *AUSTRALASIAN PARLIAMENTARY REVIEW* 17, no. 2 (September 2002): 69–78. <https://doi.org/10.1.1.622.23&rep=rep1&type=pdf>.
- Ballinger, Chris. *The House of Lords 1911-2011: A Century of Non-Reform*. Oxford: Hart Publishing, 2014.
- Bank of England. "Inflation Calculator." Accessed April 2, 2022. <https://www.bankofengland.co.uk/monetary-policy/inflation/inflation-calculator>.
- BBC. "1963 Peerage Act and Former Labour MP Tony Benn." Accessed April 5, 2022. <https://www.bbc.com/news/av/uk-politics-13991290>.
- Cambridge Dictionary. "Redistributive Taxation." Accessed March 20, 2022. <https://dictionary.cambridge.org/dictionary/english/redistributive-taxation>.
- Cockerell, Michael. "The Politics of Second Chamber Reform: A Case Study of the House of Lords and the Passage of the House of Lords Act 1999." *The Journal of Legislative Studies* 7, no. 1 (2001): 119–34. <https://doi.org/10.1080/714003866>.
- Dorey, Peter, and Alexandra Kelso. *House of Lords Reform since 1911: Must the Lords Go?* Basingstoke, UK: Palgrave Macmillan, 2011.
- Dr Saunders, Robert. "Should the House of Lords Be Reformed or Abolished?." Mile End Institute, last modified August 27, 2020. <https://www.qmul.ac.uk/mei/news-and-opinion/items/should-the-house-of-lords-be-reformed-or-abolished-dr-robert-saunders.html>.
- House of Commons Library. "Fixed-Term Parliaments Act 2011." Accessed March 26, 2022. <https://commonslibrary.parliament.uk/research-briefings/sn06111/>.
- Kelso, Alexandra. "Stages and Muddles: The House of Lords Act 1999." *Parliamentary History* 30, no. 1 (2011): 101–13. <https://doi.org/10.1111/j.1750-0206.2010.00238.x>.
- McGuinness, Feargal. "House of Lords Statistics - House of Commons Library." UK Parliament, July 4, 2012. <https://commonslibrary.parliament.uk/research-briefings/sn03900/>.
- McKechnie, William Sharp. *The Reform of the House of Lords; with a Criticism of the Report of the Select Committee of 2nd December, 1908*. Glasgow: James MacLehose and Sons, 1909.
- Norton, Philip. "Resisting the Inevitable? The Parliament Act 1911." *Parliamentary History* 31, no. 3 (2012): 444–59. doi:10.1111/j.1750-0206.2012.00350.x.
- Norton, Philip. *Reform of the House of Lords*. Manchester: Manchester University Press, 2017.

- Raina, Peter. *House of Lords Reform: A History*. Oxford: Peter Lang, 2011.
- Russell, Meg. *The Contemporary House of Lords: Westminster Bicameralism Revised*. Oxford: Oxford University Press, 2013.
- Statute Law Database. "Parliament Act 1911." Accessed March 31, 1979. <https://www.legislation.gov.uk/ukpga/Geo5/1-2/13/introduction>.
- Takaynagi, Mari. "A Changing House: The Life Peerages Act 1958." *Parliamentary History* 27, no. 3 (2008): 380–92. <https://doi.org/10.1111/j.1750-0206.2008.00045.x>.
- Tudor, Sarah. "Life Peerages Act 1958: First Life Peers - House of Lords ..." UK Parliament, accessed March 28, 2018. <https://lordslibrary.parliament.uk/research-briefings/lln-2018-0036/>.
- UK Parliament. "Committees." Accessed March 13, 2022. <https://committees.parliament.uk/>.
- UK Parliament. "Find MPs - MPs and Lords." Accessed March 12, 2022. <https://members.parliament.uk/members/commons>.
- UK Parliament. "Hereditary Peers." Accessed March 12, 2022. <https://www.parliament.uk/site-information/glossary/hereditary-peers/>.
- UK Parliament. "How Members Are Appointed." Accessed March 12, 2022. <https://www.parliament.uk/business/lords/whos-in-the-house-of-lords/members-and-their-roles/how-members-are-appointed/>.
- UK Parliament. "Key Dates." Accessed March 19, 2022. <https://www.parliament.uk/about/living-heritage/evolutionofparliament/houseofcommons/reformacts/keydates/>.
- UK Parliament. "Lords Appointments: Life Peerages Created since 1958." Accessed March 12, 2022. <https://lordslibrary.parliament.uk/research-briefings/lln-2021-0002/>.
- UK Parliament. "Peerage Act 1963." Accessed April 5, 2022. <https://www.parliament.uk/about/living-heritage/evolutionofparliament/houseoflords/house-of-lords-reform/from-the-collections/from-the-parliamentary-collections-lords-reform/lords-reform-1963-1999/peerage-act-1963/>.
- UK Parliament. "Royal Assent." Accessed March 15, 2022. <https://www.parliament.uk/about/how/laws/passage-bill/lords/lrds-royal-assent/>.
- UK Parliament. "The House of Commons at Work." Accessed March 10, 2022. <https://www.parliament.uk/globalassets/documents/commons-information-office/publications-2015/house-of-commons-at-work-booklet.pdf>.
- UK Parliament. "Viscountess Rhondda, Women & the House of Lords." Accessed April 6, 2022. https://www.parliament.uk/globalassets/documents/parliamentary-archives/Viscountess_Rhondda_Women_House_of_Lords.pdf.

UK Parliament. "What Is the Role of Parliament?" Accessed March 20, 2022.
<https://www.parliament.uk/about/how/role/>.

UK Parliament. "Who's in the House of Lords." Accessed March 13, 2022.
<https://www.parliament.uk/business/lords/whos-in-the-house-of-lords/>.

UK Parliament. "Writ of Summons." Accessed March 17, 2022. <https://www.parliament.uk/site-information/glossary/writ-of-summons/>.

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LIST OF ABBREVIATIONS

UK First abbreviation – The United Kingdom

WW2 Second abbreviation – World War II

APPENDICIES

APPENDIX I – Glossary of terms and procedures

British Parliament

The “Mother of Parliaments” is the supreme legislative body in the UK. The Monarchy and two houses of the Parliament jointly form the British Parliament. This chapter consists of all the necessary terms and procedures one needs to know to understand the reforms of the House of Lords.

The Monarchy

Initially, the most substantial body of the British Government is represented by the Sovereign. Today, Her Majesty wields way less power than her medieval ancestors. From the position of the “sole ruler,” the crown’s role is predominantly ceremonial.

Appointment of the Prime Minister

Her Majesty appoints the prime minister, a leader of a party that wins an election, which is then responsible for the formation of the new Government.

Opening and Dissolving of the Parliament

The Queen’s speech, a summary of the main policy agendas and objectives for the upcoming Government period, usually takes place shortly after the general election and starts the new Parliamentary year.¹⁰⁸ After the Government period is over, just before the elections, the Crown also dissolves the Government under the rules of the Parliament Act 2011.¹⁰⁹

Royal Assent

Royal approval of the bills that were passed in accordance with the 1911 & 1949 Parliament Acts (chapters 3 and 4). Official registration of the legislation in the Statute book.¹¹⁰

British Political Parties

Many political parties operate in the UK’s political environment. Only two parties usually win most of the popular votes in elections. One of these is the Conservative Party, which some say is the most successful party in history. The Liberal Party stood against the

¹⁰⁸ “What Is the Role of Parliament?,” UK parliament, accessed March 20, 2022, <https://www.parliament.uk/about/how/role/>.

¹⁰⁹ “Fixed-Term Parliaments Act 2011,” House of Commons Library, accessed March 26, 2022, <https://commonslibrary.parliament.uk/research-briefings/sn06111/>.

¹¹⁰ “Royal Assent,” UK Parliament, accessed March 15, 2022, <https://www.parliament.uk/about/how/laws/passage-bill/lords/lrds-royal-assent/>.

Conservatives from the second half of the 19th century until the 1920s. Then its place was replaced by the Labour Party, which these days still makes the majority of the Conservatives' opposition.¹¹¹

Whig party

Founded in 1678. Main opposition of Tory party. The political left-centre party. Representatives of the British middle class. Dissolved in 1859. Succeeded by the Liberal party.

Tory party

Founded in 1678. Main opposition of Whig party. Dissolved in 1834. Political right party. Representatives of Aristocracy. Succeed by the Conservative party.

Conservative party

Founded in 1834. In 1912 merged with the unionist faction of the Liberal party. Political right party. Advocate unionist conservative ideology, but they also advocate economic liberalism. (Sometimes they are referred to as Tories or Unionists)

Liberal party

Founded in 1859. Political centre-left party, liberal ideology. Representatives of the lower and middle class.

Labour party

Founded in 2000. Political left-wing party. The party promotes social democracy.

The House of Commons

The body with a name hints who they represent and by whom they are elected. By the public elected body of the Parliament that has a history of wielding Governmental power opposite to that of the Crown. Today the House of Commons plays the most prominent role in forming the bills and then their implementation as laws. The representatives are called the MPs, and the total number of seats in the House is 650.¹¹² Also, the Prime minister is selected from the MPs, and members of his Cabinet are also almost exclusively from the House of Commons.¹¹³

¹¹¹ "The party system." UK parliament. Accessed March 18, 2022. <https://www.parliament.uk/about/mps-and-lords/members/partysystem/>.

¹¹² "Find MPs - MPs and Lords." UK parliament. Accessed March 12, 2022. <https://members.parliament.uk/members/commons>.

¹¹³ "Committees." UK parliament. Accessed March 13, 2022. <https://committees.parliament.uk/>.

Laws and Taxes

The MPs are responsible for drawing up new bills. Bill is a paper that suggests a change, or a new piece of legislation based on society's current attitude and needs. Bill becomes a law when a majority of the House of Commons approves the bill.

Committees

Small groups of MPs, whose task is to control the work of the Government or detailed revision of the draft bill. Their output reports contain an evaluation of the given subject. The subject of their investigation could be Government spending, individual legislation, revision of Governmental departments such as Health, Defence, Justice, etc.¹¹⁴

The House of Lords

The unelected Parliament body consists of nobles with titles and representatives of the church. The current number of members is 800, and most of them are life peers. These members have almost the same function as in the feudal age, but now they do not control and guide the monarch but the House of Commons and the Government.

Laws

They control and propose changes to the bills submitted by the Commons. The lords cannot stop the bill from becoming law. They only possess the power to delay it. The Upper Chamber can draw up new public bills. However, this happens very rarely in comparison to the House of Commons. They cannot draw up money bills.¹¹⁵

Structure of the House of Lords

Representatives of the Church

High-ranking members of the Church, also known as Lords Spiritual, such as abbots and bishops. They hold their position in the House of Lords until their death or until they are stripped of their title. If either of these situations occurs, their seat in the House is given to their successor.¹¹⁶

¹¹⁴ "The House of Commons at Work." UK parliament. Accessed March 10, 2022.

<https://www.parliament.uk/globalassets/documents/commons-information-office/publications-2015/house-of-commons-at-work-booklet.pdf>.

¹¹⁵ "Who's in the House of Lords." UK parliament. Accessed March 13, 2022.

<https://www.parliament.uk/business/lords/whos-in-the-house-of-lords/>.

¹¹⁶ "How Members Are Appointed." UK parliament. Accessed March 12, 2022.

<https://www.parliament.uk/business/lords/whos-in-the-house-of-lords/members-and-their-roles/how-members-are-appointed/>.

Hereditary peers

The seat in the House of Lords that is inherited from the ancestors through aristocratic titles. The current number of these peerages is fixed at 92.¹¹⁷

Life peers

Individuals who have received their peerages only for their life, which means that these peerages cease to exist with the death of the individual. They can resign from their position. As a rule, the vacant seat is then filled with new life peers. The number of life peers is not fixed since the Crown appoint new “professionals” often. Since the introduction of the Life Peerages Act 1958, 1517 new life peerages were created.¹¹⁸

Writ of summons

Writ of summons is the official document in which the Sovereign summons a Lord to the House of Lords. Without this document, a lord cannot sit in the House of Lords. New documents are created and sent to the Lords with peerages each time before the start of a new Parliament.¹¹⁹

Attempts to reform the Upper Chamber

There have been many attempts to reform the House of Lords since the beginning of the 20th century. The table below serves as a demonstration of this. My thesis focusses only on those that were successful.

Successful	Unsuccessful
The Parliament Act 1911	Bryce Conference 1917-18
The Parliament Act 1949	Cabinet Committee 1921-22
The Life Peerages Act 1958	Cabinet Political Committee 1933-35
Peerage Act 1963	Inter-Party Conference and Parliament Bill 1967-69
The House of Lords Act 1999	Wakeham Commission 1999-2000 ¹²⁰

¹¹⁷ “Hereditary Peers.” UK parliament. Accessed March 12, 2022. <https://www.parliament.uk/site-information/glossary/hereditary-peers/>.

¹¹⁸ “Lords Appointments: Life Peerages Created since 1958.” UK parliament. Accessed March 12, 2022. <https://lordslibrary.parliament.uk/research-briefings/lln-2021-0002/>.

¹¹⁹ “Writ of Summons.” UK parliament. Accessed March 17, 2022. <https://www.parliament.uk/site-information/glossary/writ-of-summons/>.

¹²⁰ Chris Ballinger, *The House of Lords 1911-2011: A Century of Non-Reform* (Oxford: Hart Publishing, 2014), 12.

Stages of proposed bills in both houses

First Reading	Official introduction of the draft bill's contents. All resolutions are introduced in the House in which the bill originated.
Second Reading	A political debate on the nature of the problem and its solution. Amendments, constructive criticism. A chance for politicians to express their opinions on the bill.
Committee	In cases of controversial bills, chambers can set up a committee. The task of the committee is to find appropriate amendments to the bill. The committee operates independently of the House but may be made up of members of the House in which the bill originated or other experts.
Report	Return of the bill to the House. During this phase, politicians can propose their own amendments to the bill that were not proposed by the committee. It is a much more formal discussion than at the committee stage.
Third Reading	The final vote on the approval of the bill in the House in the House of Commons usually takes place right after the report stage. In the House of Lords, it takes place after a pause of at least three days to allow the Peers to consider amendments.
Revision of the bill by the other House.	After the bill is passed in the chamber in which it originated, it is sent to the other chamber, where an identical approval procedure begins. In the case of amendments, the bill is sent back to the chamber in which it originated, in that case, the chambers can send the bill back and forth as long as possible, in accordance with Parliament Acts 1911 & 1949 (chapters 3 and 4). ¹²¹

¹²¹ Philip Norton, *Reform of the House of Lords* (Manchester: Manchester University Press, 2017), 5.