

# Lords reform for a purpose

Power in the hands of the many, not the few

**Chris Leslie**

### **Lords reform for a purpose: Power in the hands of the many, not the few**

It may never be the hot topic of conversation in pubs and clubs across the nation, but completing the reform of the House of Lords must be one of the greatest challenges now within reach for our democracy. Improving the 'sovereign institution' in British society is no small feat: perhaps why over a century of abortive attempts and compromise deals have seen modernisation barely inch forward. Paradoxically, the removal of the hereditary principle from the Lords has taken away the worst and most unacceptable vestiges of a decrepit system, leaving an appointed chamber of life peers but also a diminished zeal for reform. Nevertheless, it is vital that we conclusively reform these loose ends of constitutional affairs if we want Parliament and civic life in Britain to rejuvenate.

The New Local Government Network believes that Lords reform can be completed satisfactorily, with consensus across the political parties, and in a way that also adds democratic value above and beyond a neat administrative fix within the walls of the Palace of Westminster. We advocate a large proportion of the new Second Chamber comprised of perhaps two-thirds of regional representatives, selected by an electoral college of democratically

elected local councillors from across the country, with seats apportioned to mirror the share of the vote achieved by each political party at a General Election. In adding legitimacy to the composition of the Second Chamber, Lords reform can be completed in a way that sees power and influence dispersed into the hands of a greater number of people from all corners of the country.

Why is the time right for this change? Ever since the infamous Commons votes of January 2003, where all seven options for composition reform were defeated in a series of free votes, there has been an unusual recognition that both sides of the debate - those putting the case for an appointed second chamber, and also those advocating an elected House - have made strong and compelling arguments. The quest for a solution, a method for squaring the circle between a more democratic second chamber that doesn't upset the ultimate sovereignty of the House of Commons, has been long and tortuous. At NLGN we believe that it is possible to crack this conundrum and achieve greater legitimacy without jeopardising Commons supremacy. Those who worry about a gridlocked tussle between two equally mandated parliamentary chambers can have their fears dispelled; those who demand a more democratic and representative composition can achieve their goal.

Billy Bragg's proposal for the "secondary mandate" method for indirectly electing the second chamber nearly solved the problem, but for the closed list party appointment process that would inevitably raise suspicions. I applaud Billy Bragg for getting as far as he did, and our proposal builds on his suggestions, instead creating an electoral college of local councillors as the means of selecting the individuals chosen to represent the parties from each region.

Parliament is crying out for voices representing a broader cross-section of all parts of the UK, rather than the alarmingly centralised arrangements which sees peers from wealthy inner London neighbourhoods dominating the current membership. Not only do we need gender, race, and age diversity – we need national diversity too. The solution we advocate would achieve a far more representative chamber.

Local democracy has withered in recent decades in part because of the weakened powers it has held. Giving local democracy the added responsibility of indirectly selecting the second chamber of Parliament would boost the role and status of local elections and local councillors. It would also give local communities more power, an opportunity to sit at the national table and hold a permanent dialogue with legislative decision-makers complementing the

constituency role fulfilled by Members of the House of Commons.

We feel that the powers of the second chamber could remain broadly as at present – a scrutinising and deliberative role is appropriate as a supplement to the final decision-making function of the Commons. If the British constitution is to continue forming its executive from the directly elected legislature, then the Commons needs to be the place where the buck stops. Anything other than this clear and unambiguous means of decision-making would fundamentally unbalance the whole constitutional settlement. At the same time, enriching the second chamber so that it considers and improves the quality of legislation informed by views from all parts of the country would augment its status and esteem. It would bring a new perspective to law-making, perhaps adding a devolutionary and localist presumption where appropriate, which is an important but under-developed influence much needed as a check on national centralism. Improving the quality and reach of our local democracy isn't just good for each neighbourhood individually, it is good for our nation as a whole.

### **How it could work**

NLGN's proposal for a local democratic electoral college could in some ways be described as a "secondary mandate plus" system. Driven by the result

of each General Election, political parties would have their share of seats determined by their share of vote achieved in each region of the UK, and the individuals selected to take each of these seats would be chosen by the local councillors from that political party in that region.

Perhaps the French second chamber offers the closest parallel to the model proposed by NLGN, where their departmental electoral college selects those who take seats. However, there has been a consensus in many countries that second chambers, undertaking the revising functions, should send legislators from provinces and regions: the Spanish Parliament, the Canadian system, the Australian legislature and, of course, the German Bundesrat composed of representatives from regional governments, all have settled on such arrangements.

It is important that a significant proportion of members of the second chamber are chosen by the local democratic electoral college. Whether 50% or, as in our illustration two-thirds of existing seats, the crucial principle is that a step-change in legitimacy of the chamber as a whole is achieved. We are not concerned about the size of the chamber; the existing number could stay the same, or even be cut for efficiency purposes. As long as there is a marked difference from the current method of appointment, giving a major stake in our national democracy to our

locally elected representatives, the benefits could be gained.

Rather than have individuals chosen by national or regional parties, local councillors would be able to send whoever they chose, perhaps from among their number, perhaps from other party figures or candidates, or perhaps from others outside their party. Handing the choice to local elected representatives would give greater influence to those who are aware of community concerns, councillors who serve their constituents and also to councillors who the public can dismiss if they disapprove of their choices. The public have a say on not only the number of seats taken by each party, but also on who should select those office holders.

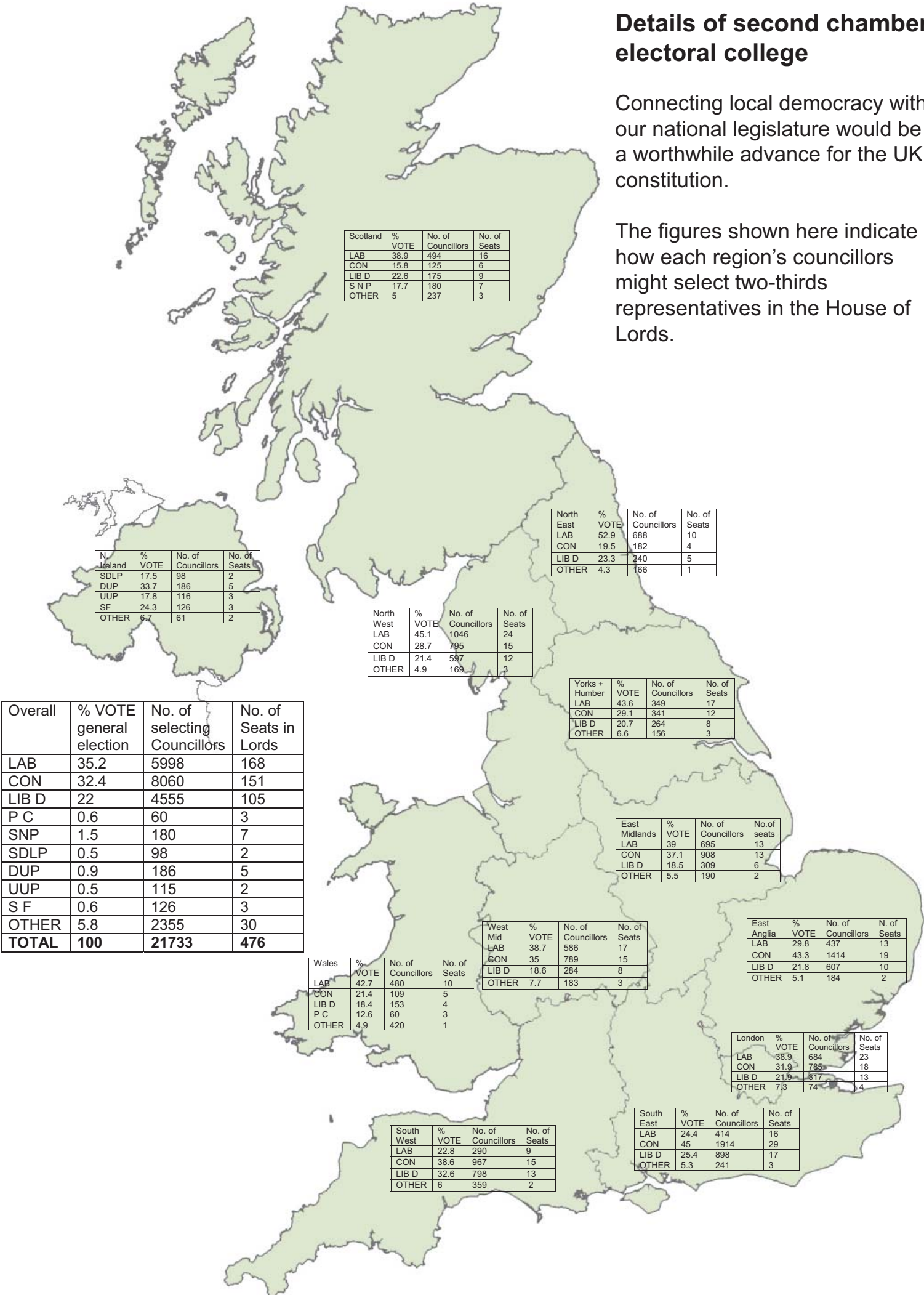
We believe that this system is easy to apply and is easily understood by the public at large. It would not require separate or a second 'General Election', an innovation that could sorely test the public's tolerance for election frequency and add great expense to the taxpayer and the political parties. Drawing the party shares in this way would also leave the Commons as the supreme and superior chamber in our Parliament.

**Chris Leslie is the Director of the New Local Government Network and a former Constitutional Affairs Minister**

# Details of second chamber electoral college

Connecting local democracy with our national legislature would be a worthwhile advance for the UK constitution.

The figures shown here indicate how each region's councillors might select two-thirds representatives in the House of Lords.



## Methodology behind our suggested Local Democratic Electoral College:

Firstly the Electoral College votes were calculated using the regions populations as defined by the 2001 Census. The percentage of population was taken to one decimal place and then converted into Electoral College votes. The college votes were then rounded up or down to the nearest integer. The Electoral College votes totalled 476, 2/3rds of the current House of Lords.

The next step was to calculate the proportion of the Electoral College votes per region given to each political grouping. This was calculated using research by Rollings and Thrasher of Plymouth University showing the percentage of the popular vote received by each party in each region. That data was to one decimal place and then applied to the Electoral College votes for each region. In some circumstances, due to the inherent limited accuracy, there were spare seats.

Example. These were the results in Northern Ireland which has 14 Electoral College votes

PARTY	SDLP	DUP	UUP	SF	OTHER	TOTAL
Seats before rounding	2.45	4.71	2.49	3.4	0.93	13.98
Seats after rounding	2	5	2	3	1	13

In this situation the spare seat will be awarded to the 'OTHER' group. The reason for this is that the 'OTHER' group is compiled of a range of small political parties such as; The Greens, Liberal, BNP, UKIP, Respect as well as Independents. As the 'OTHER' group encompasses such a broad church it would seem best to give them the possibility of as wide a voice as possible. This system is also, essentially about empowering local wishes and previously marginalized views, as such giving the 'OTHER' group, the least represented group, the benefits of any computational remainders would seem commensurate with the system's aim.

Other methods would be to give the seat to the largest political party, however this only results in giving dominant parties greater influence.

As can be seen from the graphic on the previous page, the final make up of the elected portion of the House of Lords is very close to the national percentage of popular vote for each political party.