

What are the arguments for and against electing all the members

[Politics](#)



Before presenting the arguments for and against the election of all members of the House of Lords, it is important to detail the role it plays. These functions were identified in the white paper of 1968, put forward by the Labour government of the time, which proposed a reform of the upper chamber. The White paper detailed a number of purposes, the first of which was 'the provision of a forum for debate on matters of public interest'. Whilst performing a valuable role this allows for matters that political parties would find potentially damaging to their popularity to be debated by independent individuals.

This independent debating forum also provides a platform for which to revise the Bills brought from the House of Commons before they are turned into law, allowing for necessary points to be altered for legal purposes and to address elements of the Bill that would be inappropriate for political figures to discuss. The initiation of Public Bills and Private Members' Bills and the consideration of delegated legislation were other purposes detailed in the white paper along with the scrutiny of the executive, being the most influential members of government. Other important roles include the scrutiny of private legislation, select committee work and the Supreme Court of Appeal.

In the calls for reform in 1968 it was argued that the upper chamber was outdated by way of its membership. Unique among second chambers worldwide, the totally unelected format can be considered inappropriate for a modern, democratic state of the 21st century. Without a democratic format in which the members of the second chamber are elected, many problems arise. The debates supposedly based on matters of public interest would be <https://assignbuster.com/what-are-the-arguments-for-and-against-electing-all-the-members/>

argued by people potentially out of touch with the public, who's interests are supposedly being protected.

The unelected nature of the house would also mean that any revision of bills brought from the House of Commons could slightly alter the initially intended purpose proposed by the elected lower house. As a result the outcome would be a bill finalised by an unelected body and as such would be a tainted version of the initially intended bill proposed by the lower house, which was elected by the people of the state. This could lead to an abuse of the power held by the upper house and as a result hindering the democratic system designed to represent the people fairly.

The majority of hereditary peers are widely believed to be of Conservative loyalty politically due to the previous supremacy of the party in British history resulting in such ideals being shared by the people in power in the past when assigning peers. This could result in the Conservative element of the house making it extremely difficult and significantly delaying any bills brought forward by a Labour government. This potentially hinders the political process and the impartiality required of a house that finalises and debates matters of public interest in a democratic state in the 21st century.

Another reason for electing the second chamber is the issue concerning the religious representation in the house. The majority of the religious representation within the house is in members of the Church of England in the form of bishops and archbishops. As a consequence any debates with elements of religious discussion in them or pertaining to morality would be potentially one sided, and without a balanced religious representation of the

diversity within the community that democratic representation allows for. This would mean that the increasing religious diversity in the United Kingdom would be unfairly underrepresented.

These arguments initially appear overwhelming as they clearly detail the undemocratic and archaic arrangement that exists in the upper chamber. There are however reasons to suggest that this format is actually the very thing that is protecting the interests of the public, rather than obstructing them. The process of removing the hereditary peers and making it essential that members of the second chamber are elected could increase the power of the government and as a result may make it far easier for them to abuse it. If a government came to power and then didn't live up to its promises or wanted to put some legislation through the upper chamber it would be far easier than now. At present the majority government Labour have in the House of Commons is limited by the Lords.

The upper chamber can make it difficult for legislation against, as they see it, the public interest to pass through immediately by delaying it. The process by which bills from the commons are revised also allows for some alterations before they are made into statute, again providing a safety net to limit the power a majority government can have. A further argument against absolute election is that members of the upper house who are responsible for the scrutiny of the executive could potentially become influenced by the parties that they would belong to. An inevitable outcome of electing the whole of the second chamber would be that individuals would ally themselves to political

parties in order to gain campaign funds and promote themselves as candidates, thus removing the independence so vital to the role of the Lords.

Not only would candidates have to limit their political views to the narrower spectrum that the major political parties provide for, thus as a consequence limiting the range of arguments present in debates, it would become necessary to follow the lead of the party in the commons in order to maintain the relationship. This could result in a mutually beneficial relationship between parties and candidates that would be against the interest of the voters. This loss of independence could lead to the scrutiny of the executive, the most powerful part of government, being made totally impotent if the executive and the majority of the lords are from the same political party.

Aside from all the moral and political arguments against electing the whole of the upper house there is also a practical element. The current lords are paid a menial amount in the form of expenses whilst undertaking their duties and responsibilities as lords. If the role were to become one that an individual was elected into then a salary would have to be introduced. When taken into consideration that the upper chamber consisted of over 1000 members in 1998 and since then many life peers have been added by the current Labour government and that these members would require a salary the running costs of the upper chamber increase dramatically.

Assuming a modest average salary of £30, 000 the total annual outgoings would be in excess of £30m. Select committee work was another function detailed in the White paper of 1968 that is important in the House of Lords.

The current arrangement of the upper house allows for members to gain and

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pool invaluable experience in a multitude of areas. If the house were elected and members would be changed from time to time this experience would be divided among a number of different people in the same seat who would therefore be in the chamber at different times. As a result the overall experience within the chamber at any one time is diminished and could lead to inefficiencies and uninformed decisions being made.

Among the arguments for an unelected upper chamber there are also criticisms of the arguments against it to consider.

Citing hereditary peers as undemocratically appointed and inherently conservative is perhaps not an entirely valid reason for electing the whole of the upper house. Prior to the House of Lords Act 1999, in terms of allegiance, the Conservative peers were outnumbered in January 1998 by 647 to 475. In addition, the Conservative peers did not command a majority even in the number of peers attending regularly, that is to say attending 36 or more days out of 79. In the aforementioned figures it is perhaps the 322 cross benchers that vote diversely, do not partake in purely political discussion and are said to have no political allegiance that offer the biggest opposition to the previous argument. This, along with the fact that the House of Lords is a less political house anyway, due to the independent nature of the lords, leads to the conclusion that the concerns of pro-reformers in terms of political composition may not be entirely justifiable.

Whilst concerns regarding the inclusion of members of the religious community and in particular the bias in terms of the Church of England representation perhaps have good grounds, the members in question

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provide a valuable element to the upper chamber. These leaders of the community would probably be absent in an entirely elected chamber and unable to perform the important role that they do. Their inclusion in the house helps tremendously when debates regarding issues involving morality and political black holes such as abortion are raised. Their independence and lack of political allegiance allows some points that may not have otherwise been brought about to be raised and then discussed.

Whilst the current format of the lords is undemocratic and dated it is essential to the preservation of democracy and our political stability. It is this format that makes up for the shortcomings of representative democracy and helps maintain some of the positives of direct democracy. Whilst the case for reform may be a just one in the form of more life peers and fewer hereditary ones there is no real basis for complete election on the basis of protecting the peoples interests.

" Agreement in principle amongst the sophisticated tends to be less than whole hearted and to beget new disagreements when principle is translated into detail. Real enthusiasm for Lords' reform is too often to be found among the eccentric and the naive, who may have little idea of the mediocre performance of second chambers in so many other countries or of the limited expectations that can be reasonably be reposed in a reconstituted British second chamber." - S. A. de Smith and R. Brazier.