

- 30 Steel, *Against Goliath*, p. 287.
- 31 *The Guardian* obituary, 29 July 2008.
- 32 Quoted from the text of the speech delivered by Maryam Rajavi on 4 August 2008.
- 33 Proscribed Organisations Appeal Commission – Appeal No. PC/02/2006. Appellants: Lord Alton of Liverpool and others. Respondent: Secretary of state for the Home Department.
- 34 Steel, *Against Goliath*, p. 189.
- 35 *Guardian* obituary.
- 36 Paddy Ashdown, *The Ashdown Diaries, Volume One 1988–1997* (Penguin, 2000), p. 188.
- 37 *Guardian* obituary.
- 38 Johnston, *Conference Speeches*, p. 6.
- 39 Johnston, *To be a Liberal*, p. 29.
- 40 Johnston, *Conference Speeches*, p. 49.
- 41 Dates and records of membership of delegations and visitations extracted from the website of the Parliamentary Assembly of the Council of Europe.
- 42 Lord Russell-Johnston, *Humankind Has No Nationality*, speeches as President of the Council of Europe Parliamentary Assembly 1999 (Council of Europe Publishing, 2000), p. 5.
- 43 Quoted from the text the statement issued by Nick Clegg, leader of the Liberal Democrat Party, 28 July 2008.
- 44 Maryam Rajavi.
- 45 Quoted from the text of the tribute delivered by The Rt Hon. the Lord Steel of Aikwood on 11 August 2008.

# REPORTS

## Lords reform 1911–2011

Conference fringe meeting, 11 March 2011, with Lord Norton and Lord Marks; chair: Baroness Scott  
Report by Mark Pack

ONE HUNDRED years on from the 1911 Parliament Act, the Liberal Democrat History Group's Sheffield conference meeting looked at the history of Lords reform – what has happened in the intervening 100 years and is major reform now really just round the corner?

Ably chaired by former Liberal Democrat President Baroness Ros Scott, the meeting started with her recounting how her own personal experiences of the House of Lords were a reflection of how often Lords reform had been promised imminently but never quite arrived. When Baroness Scott was made a peer in 1999, Charles Kennedy – then Liberal Democrat leader – said to her that, since the Labour government was fully committed to Lords reform, she would not be there for long. Twelve years on, there she still is.

Philip Norton (Lord Norton of Louth), a Conservative peer and renowned constitutionalist, provided the historical background

to current Lords reform debates. He pointed out that, although the ostensible stimulus for the Parliament Act was the rejection of the 1909 People's Budget, this was in fact only an immediate trigger and that there were two causes rooted more deeply in history. The first dated back to the days of Pitt the Younger, who secured the creation of a large number of new peers, giving the chamber a Tory (and later Conservative) majority. This gave the Lords a partisan dominance that was a problem when there were Liberal prime ministers. Second, the Great Reform Act and then, more importantly, the 1867 Reform Act introduced a level of popular involvement in elections that raised an expectation that parliament overall should be elected by the public. Norton quoted a prophetic warning by Lord Shaftesbury, during the 1867 Reform Act debates, who had said that it would have an impact on the Lords, because 'in the presence of this great democratic power, and the advance of this great democratic

wave, it passes my comprehension to understand how a hereditary house like this [the Lords] can hold its own'.

The mounting difference between an unelected Lords and a Commons elected on an increasingly broad franchise, compounded by the frequent rejection of Liberal measures by a Tory-dominated Lords, resulted in a Liberal resolution to 'mend or end' the upper chamber. Lords reform featured in the Newcastle Programme of 1891, and in 1907 a Cabinet committee was created by the Liberal government to look at Lords reform. All this predated the 1909 People's Budget and so showed, Norton said, that the famous crisis it triggered was not the underlying reason for Lords reform.

However, Norton did believe that nature of the immediate events of the 1909 crisis was important in shaping the Lords reform that took place. Asquith initially favoured the notion that, if the Lords blocked legislation, this would be resolved by a conference (or conciliation committee) made up of all MPs and a smaller number of Lords. However, this was rejected, and instead the Lords were given the ability to delay rather than reject – and then solely for non-money bills and only for two parliamentary sessions.

Norton also pointed out that the Liberal Party's failure to win a strong mandate in the two 1910 elections in some ways assisted the passage of Lords reform, because it made them dependent on Irish Nationalist MPs who – with memories of home rule legislation – were much keener on Lords reform than many Liberals. The Nationalists demanded Lords reform in return for support for the Liberal Budget.

In considering the nature of the reform, the Liberal Cabinet decided that it did not wish to change the composition of the Lords, for fear that this would strengthen the mandate of the Lords in any future disputes (something with shades of later controversies). It was only in the second half of the twentieth century that Lords reform moved from the issue of the powers of the Lords to that of its composition, with the concomitant and continuing controversy over whether such reform would strengthen the Lords and therefore impede further reform. Hence it was a

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Conservative – Lord Salisbury – who was primarily responsible for the introduction of life peerages in 1958, which were opposed by the Labour Party.

Norton's view was that the 1958 reforms and the abolition of the right of hereditary peers to have seats in the House, in 1999, had, indeed, ended up strengthening the position of the Lords. The influx of new people following the 1958 act revitalised the House of Lords, bringing in active members, as well as altering the political balance and so giving the Lords more authority and legitimacy – which in turn gave its members greater confidence in using its powers.

Jonathan Marks (Lord Marks of Henley-on-Thames), a Liberal Democrat peer and lawyer, looked at the contemporary situation, looking at the prospects for the Coalition Agreement's commitment to Lords reform, creating a wholly or mainly elected Lords on the basis of proportional representation. Marks highlighted that the 1911 reform talked of introducing elections, but not 'immediately'; as he said, a century is a long time to have been relying on a stop-gap measure. Marks also reminded the audience that hereditary peers, even in very reduced numbers, are still present in Lords and he raised the incongruity of the election that was then underway to elect a replacement hereditary peer by the alternative vote following a recent death.

Marks pointed out that the tradition of Lords reform is for temporary reforms – 1911 and then 1998 – to end up becoming long-term. Despite the long gestation period, Marks said he expected pre-legislative scrutiny of the government's Lords reform proposals to take around a year. He emphasised how little agreement there was over the future composition and powers of the Lords, and expected that changes to its composition would require its powers to be reviewed.

Marks said that, almost without exception, reformers believe that the Commons should have supremacy over a reformed Lords. As a matter of principle, Marks believes in an 100 per cent elected upper house, but he thought this point would be used by some to argue in favour of an 80 per cent elected upper house, that being the number that has emerged as

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the frontrunner for an alternative to 100 per cent. In an 80 per cent elected house, it would be possible, and still desirable in Marks's view, for all the political members to be elected, leaving the remaining 20 per cent to be spiritual members, crossbenchers and possibly some particular former post holders, such as Speakers and Chiefs of the Defence Staff. Norton however doubted that all 20 per cent in such a situation would be left to non-politicians, thinking of people such as ex-Cabinet members. He also highlighted the issue of representing some religions in the Lords due to their non-hierarchical nature, making selecting any representatives from them problematic.

Despite this potentially very radical nature of this reform, Marks also said he did not necessarily think that the current reforms would be the final word on the matter. In addition, he talked of long terms of office that would most likely mean elections by thirds every five years, providing a natural mechanism for a gradual, phased introduction of the reforms and replacement of existing members. For the elections themselves, open lists and STV are the only likely electoral options in Marks's view. In terms of both how the Lords operates and ensuring that it continues to be seen as subsidiary to the Commons, a voting system that did not have a tight constituency link would be preferable, he said. He also emphasised the opportunity that such elections would offer for improving the diversity of Parliament, even perhaps including job-share provisions.

Given the number of opponents of Lords reform, including his

fellow speaker Norton, Marks said the government has to make clear a willingness to use the Parliament Act so that people concentrate on the options rather than attempting to delay reform altogether.

During the questions at the end of the session, Norton made the point that the swing voters in the Lords used to be the Liberal Democrats, but a combination of the Lib Dems going into government and crossbenchers turning out in greater numbers meant that significant power had shifted to the latter.

The two speakers disagreed over how likely it was that filibustering would take place over Lords reform: Norton saying that it was only a feasible tactic for the Parliamentary Voting System and Constituencies Bill because of the referendum deadline, but Marks doubting that there would be any shortage of excuses found to filibuster reform. Bearing this in mind and the way that recently enobled members from the Commons seemed to be changing the culture of the Lords, Marks thought changes in the business procedures of the Lords was likely. That two such knowledgeable members of the Lords both had different expectations and hopes for the future of the Lords left the meeting's attendees in no doubt that there is much debate yet to come as the next stage in the history of the Lords is shaped.

You can watch the meeting in full at <http://vimeo.com/21522060>.

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## **Class of '81: who are the true heirs to the SDP?**

Centre Forum meeting, 21 March 2011, with Andrew Adonis, Chris Huhne MP and Greg Clark MP; chair: Roland Rudd  
Report by **Tom Frostick**

**M**Y PARENTS first met while serving on the Hertsmere area committee of the Social Democratic Party (SDP); they were active members around

the time I was born – which, one could argue, makes me a child of the SDP? However, if you ask my parents who they think are the 'true heirs' to their former party, you