



# House of Lords Reform and women's representation

Véronique Molinari

## ► To cite this version:

Véronique Molinari. House of Lords Reform and women's representation. *Alizés: Revue angliciste de La Réunion, Faculté des Lettres et Sciences humaines (Université de La Réunion)*, 2013, Women's Right, Human Rights, pp.52-67. hal-01164520

**HAL Id: hal-01164520**

**<https://hal.archives-ouvertes.fr/hal-01164520>**

Submitted on 12 Nov 2019

**HAL** is a multi-disciplinary open access archive for the deposit and dissemination of scientific research documents, whether they are published or not. The documents may come from teaching and research institutions in France or abroad, or from public or private research centers.

L'archive ouverte pluridisciplinaire **HAL**, est destinée au dépôt et à la diffusion de documents scientifiques de niveau recherche, publiés ou non, émanant des établissements d'enseignement et de recherche français ou étrangers, des laboratoires publics ou privés.

## House of Lords Reform and Women's Representation

*This is about the only place left in the kingdom where men can meet without women. For heaven's sake let us keep it like that!*<sup>16</sup>

Women currently represent 23% of the 782 members of the House of Lords. Even though this percentage may seem very low as compared to women's share of the population, it is much higher than what it was twenty years ago (4% in 1992, 8% in 1999). Interestingly, it is also roughly the same proportion as that of women MPs (22.3%), even though women's access to the Upper House is much more recent (peeresses were not allowed to sit there until 1958 – exactly 40 years after women were granted the right to stand as MPs). While the *1999 House of Lords Act*, which is largely responsible for this increase, entailed an instant doubling of women's presence in the Upper House (from 8.8% to 15.8%), the ensuing progress has, however, been much slower.

This paper proposes to examine the issue of the feminization of the Upper House from Margaret Haig Thomas (Viscountess Rhondda)'s campaign for women's admission in the early 1920s to the present day, paying particular attention to the impact of the reform that was launched in 1999 and including recent discussions on the *2012 House of Lords Bill*. It will identify historical and systemic facilitators and constraints to women's descriptive representation and look at the importance that has been given, since the early 20<sup>th</sup> century, to the issue of gender balance in the context of the various Reform Acts. It will thus show how the issue of women's representation in the Upper House often intermingled with the issue of reform and was often hampered by it.

### THE CAMPAIGN FOR ADMISSION

While hereditary peeresses in their own right<sup>17</sup> had existed for centuries, no woman received the "writ of summons" that entitles a peer to become a member of the House of Lords until 1958. In the medieval period, Gavin Drewry and Jenny Brock explain, women never sat in Parliament as "con-

---

<sup>16</sup> The Earl of Glasgow, "Life Peerages Bill," *HL Deb*, 17 December 1957, vol. 206 cc1216.

<sup>17</sup> Peeresses in their own right are to be distinguished from peeresses who have a title because they are married to a male peer.

temporary doctrines of Roman law and canon law effectively precluded women from participating in public life” (Drewry & Brock 4). This convention was confirmed in 1606 when, on the occasion of the *Countess of Rutland’s Case*, the Court of Star Chamber confirmed that a countess by marriage or descent, “in respect of her sex,” “[could] not sit in Parliament” (Dymond 2).

The first legislative attempt to get women admitted to the Upper House came in the aftermath of the First World War, as part of the debates that surrounded women’s access to citizenship and parliamentary representation. A few months after women over thirty were included in the *Representation of the People Act* and given the right to vote, another Act to make them eligible to the House of Commons (*The Parliament (Qualification of Women) Act*) passed through both Houses almost without opposition and reached the Statute Book in November 1918, just in time for the December general elections. During the debates that preceded the vote of the Act, attempts were made in the Commons to extend this right to the House of Lords but were given up for fear it would jeopardize the whole bill in the Upper House (*HC Deb*, 06 November 1918).<sup>18</sup> During the ensuing debates in the House of Lords, amendments were again suggested by Lord Rotherham and Viscount Haldane (*HL Deb*, 15 November 1918).<sup>19</sup> By consenting to the Second Reading of the Bill, Haldane then remarked, the Lords had given their assent to the general principle that sex disability should be removed as far as Parliament was concerned. Opposing this principle now it was meant to apply to themselves would contribute to discredit the Upper House:

To my mind we should stultify ourselves and put ourselves in an altogether false position if we were to say, “Oh, we are quite ready to allow women to sit in the House of Commons, but we refuse to have them in the House of Lords.” That would be a position which certainly would not help us when we come to the momentous question of what changes are to be made in this House in order to fit it to discharge the tremendously responsible duties which will devolve upon it presently (*HL Deb*, Haldane, ccl. 141).

Opposition to Haldane’s amendment, led by the Lord Chancellor himself, led, however, to its rejection by 33 votes against 14. The next attempt came

---

<sup>18</sup> “If we put the Amendment in and there is a majority in the other House against it, they may reject it altogether, but they would at the very least strike it out, and I am quite sure this House would not be prepared to risk the fate of the Bill on the question whether they would insist on the Amendment”, Lord Robert Cecil, *HC Deb*, 06 November 1918, vol. 110 cc2186-2022.

<sup>19</sup> That after “Parliament, ‘the words’ or from receiving a Writ of Summons to the House of Lords or from sitting and voting in that House” should be inserted *HL Deb*, 15 November 1918, vol. 32 ccl. 140.

one year later, when the government introduced the *Sex Disqualification (Removal) Bill* to suppress existing disqualifications in the fields of employment, education and access to the Civil Service. An amendment was then introduced so as to include “sitting and voting in the House of Lords”. Although it was carried with a large majority (the Government Whips had been taken off) (*HC Deb*, 28 October 1919, vol. 120, cc621-5621), the Lords rejected it, arguing that they did “not consider that this alteration in the Constitution of the House of Lords should be made at this time or in this manner” (*HC Deb*, 26 November 1919, vol. 121 cc 1841-7).

The Act, despite this setback, was to prove the basis on which the first campaign to allow peeresses to sit in the Upper House was to be led, and marked a shift from intra-parliamentary initiatives to extra-parliamentary ones. It was indeed on the *Sex Disqualification (Removal) Act 1919* that former suffragette Margaret Haig, founder of the Six Point Groups<sup>20</sup> and a peeress in her own right,<sup>21</sup> based her claim when she decided to petition the Crown to request a Writ of Summons. Even though the Lords Committee for Privileges, to which the petition was referred, initially voted in her favour in March 1922, the Lord Chancellor (Birkenhead) again objected and asked that the question should be re-considered by a larger Committee which, in May, reversed the first decision: the *Sex Disqualification (Removal) Act*, Lord Cave explained, “while it removed all disqualifications, did not purport to offer any right. If the right to sit in this House is to be conferred on Peeresses, it must be done by express words” (*Proceedings and Minutes of Evidence taken before the Committee of Privileges, Margaret Haig, Viscountess Rhondda, House of Lords* 175).<sup>22</sup>

Following this decision, Viscountess Rhondda asked her lawyer to draft a Bill aimed at admitting women to the Lords. The *Parliament (Qualification of Peeresses*<sup>23</sup>) *Bill* was introduced in the House of Lords as a Private Mem-

<sup>20</sup> The Six Point Group was founded in 1921 by Margaret Haig (Lady Rhondda) with six specific aims: 1) satisfactory legislation on child assault; 2) satisfactory legislation for the widowed mother; 3) satisfactory legislation for the unmarried mother and her child; 4) equal rights of guardianship for married parents; 5) equal pay for teachers and 6) equal opportunities for men and women in the civil service. These points later evolved into six general points of equality for women: political, occupational, moral, social, economic and legal. During the 1920s, the group campaigned on strictly equalitarian principles and was active in trying to have the League of Nations pass an *Equal Rights Treaty*.

<sup>21</sup> Most hereditary peerages descend from the male line, which means that a peerage can only be inherited by a male relative. However, it is possible for a peerage to pass to a woman in certain circumstances (see Leys).

<sup>22</sup> Only four out of the twenty-six members of the Commission voted in favour of Lady Rhondda's request.

<sup>23</sup> Drewry and Brock explain that the term “peeress” usually applies to the wife of a peer and that “woman peer” is the correct term. “Peeress” is nevertheless what was most frequently used at the time,

ber's bill by Viscount Astor for the first time in July 1924 (*HL Deb*, 02 July 1924, vol. 58, c95) and every year between 1924 and 1928. Although these bills had the support of the main women's groups as well as of the twenty peeresses concerned by the measure, the women's sections of the three major political parties and of the major newspapers, all failed.<sup>24</sup> Opponents argued that the House of Lords was, originally, a feudal assembly meant to "do military or knightly service" for the monarch and that no woman had ever sat there in person. Peeresses who had no brother, such as Lady Rhondda or Lady Ravensdale (Irene Curzon), Birkenhead argued, had received that privilege from their father so that "physiologically, they may act as a conduit pipe through which the blood of distinguished men may pass from one generation to another" (*HL Deb*, 21 May 1925, vol. 61, col. 452). "The only reason that they were made Peeresses in their own right", he did not hesitate to add on the occasion of the second reading of the bill, in June 1926, "was the obscure and not certain hope that they might bring males into the world, and many of them, I am bound to say, have disappointed that reasonable expectation!" (*HL Deb*, 4 June 1926, vol. 64, col. 593).

The issue of women's access to the House of Lords remained on the agenda of the main equality groups for the next fifteen years, but, with a Cabinet committee being formed under the chairmanship of Lord Cave in 1925 to consider the issue of a reform of the second chamber, it became increasingly unlikely that the question of the admission of peeresses should be dealt with independently from that of a comprehensive reform. As a matter of fact, the main obstacle to women's admission to the House of Lords after the Second World War no longer was the prejudices of the members themselves but, most of all, the Labour government's reluctance to launch a reform that would extend the hereditary principle to which it was staunchly opposed. Thus, while, in 1949, the House for the first time agreed to admit women (by 45 votes to 27), no legislation followed as the government was not in favour of doing anything that might increase the hereditary element of the Upper House. As Drewry and Brock explain, the question of women's rights had, by then, become entangled with the wider (and more controversial) issue of House of Lords' composition and powers reform (Drewry & Brock 7).<sup>25</sup>

---

both in Hansard and in the Press.

<sup>24</sup> The Lord Chief Justice himself signed an article in the *Sunday Times* (17/5/25) in which he declared that, in his opinion, the Sex Disqualification (Removal) Act had given peeresses the right to sit in the House of Lords (reported in *Time and Tide*, 25/5/25, 490).

<sup>25</sup> Duncan Sutherlands confirms: "This was much more difficult to achieve than the simple admission of 25 Peeresses to the Lords, and the connection of the two questions ensured the repeated postponement of the settlement of this issue" (Sutherland, 216).

This explains why, as had been the case in 1918 with the *Representation of the People Act*, the two Acts by which women were eventually given the right to a seat in the House of Lords (the *Life Peerages Act 1958* and the *Peerage Act 1963*) were not meant to tackle the issue of female representation, but focused on wider constitutional questions, of which female representation was just a by-product. The *Life Peerages Bill* introduced by the Macmillan Government in December 1957 thus aimed at making the House of Lords more effective and more representative – which logically entailed women's inclusion<sup>26</sup> (it provided, in clause 1(3), that a life peerage could be conferred on a woman).

The first four peeresses took their seat a couple of months later: these were Stella Isaacs (Baroness Swanborough), Barbara Wootton (Baroness Wootton of Abinger), Katherine Elliot (Baroness Elliot of Harwood), and Irene Curzon (Baroness Ravensdale of Kedleston), who had campaigned for women's admission to the Upper House for many years and who, although a peeress in her own right, accepted a life peerage so as to be able to sit. Even though a resolution moved by the Marquess of Reading on 21 January 1959 and calling for legislation to allow hereditary peeresses in their own right to sit and vote in the House was carried by 59 votes to 51, these had to wait until the *Peerage Act 1963*, which was primarily drafted to allow hereditary peers to disclaim their peerages to sit in the House of Commons, to be admitted (*HL Deb*, 21 January 1959, vol. 213, cc 612-44). The following year, Debrett's Peerage listed 20 hereditary peeresses in their own right who were thereby enabled to sit and vote in the Lords (Dymond, 22).

### WOMEN IN THE HOUSE OF LORDS BETWEEN 1959 AND 1999

During the second reading of the *Life Peerages Bill*, in 1957, Lord Elton<sup>27</sup> had optimistically predicted:

I see only one reason why the admission of Life Ladies to this Chamber should do more to raise the standard of our debates, or indeed of successive Cabinets, than has their presence in another place; that is that there is likely to be a much higher proportion of them. This Government is so certain to wish to appear progressive in its nominations to life peerages by creating a large number of ladies, and any future

<sup>26</sup> There actually was a failed attempt, at committee stage, to exclude women (the Earl of Airlie moved, in subsection (1) that after 'any' 'male' should be inserted, but the amendment was defeated by 134 votes to 30. *HL Deb*, 17 December 1957, vol. 206, cc.1208-1236).

<sup>27</sup> Godfrey Elton, a strong supporter of Ramsay MacDonald, had been raised to the peerage by the Prime Minister as Baron Elton in 1934, after serving on the National Labour Government.

Labour Government is likely to be so determined to outdo the number of female creations by its Conservative predecessor, that we are likely to have a very formidable proportion of the distaff side in this House (*HL Deb*, 1957, December 3, vol. 206, cc 657).

In fact, as in the House of Commons,<sup>28</sup> women's presence in the House of Lords never amounted to more than a small minority in the forty years that followed: ten years after Elton's declaration, there were still only 33 peeresses in the House of Lords (3%) and their percentage did not rise above 5% until 1992 (cf. table 1). In April 1999, there were only 103 women out of a total of 1300 peers – 8% only.

**Table 1:** House of Lords gender breakdown, 1959-2013

Year	Women	Men	% of women
1959	4	880	0,4%
1964	26	941	3%
1970	39	1017	4%
1974	47	1027	4%
1979	56	1104	5%
1983	62	1114	5%
1987	54	1120	5%
1992	75	1138	6%
1997	87	1207	7%
1999	103	1184	8%
2000	111	584	16%
2001	111	580	16%
2002	113	572	16.5%
2009	148	708	20.9 %
2012	180	639	22%
2013	182	600	23%

Sources : "Gender breakdown of the House of Lords, 1959 to 2005", Center for Advancement of Women in Politics, <http://www.qub.ac.uk/cawp/UKhtmls/formerlords.htm>; House of Lords Statistics, SN/SG/3900, 4 July 2012.

As for Elton's optimistic predictions concerning the willingness of present and future Labour governments to attribute life peerages to women so as to contribute to an increase of their numbers, they were not proved right as the table below shows:

<sup>28</sup> The proportion of women MPs never rose above 10% before 1997

**Table 2:** *Life peerages given between 1958 and 1997 – gender breakdown*

	<b>Years in office</b>	<b>Male</b>	<b>Female</b>	<b>% of women</b>
<b>Macmillan</b>	1958-63	40	7	14.9
<b>Douglas-Home</b>	1963-64	14	2	12.5
<b>Wilson</b>	1964-70	121	14	10.3
<b>Heath</b>	1970-74	37	8	17.7
<b>Wilson</b>	1974-76	69	11	13.75
<b>Callaghan</b>	1976-79	53	5	13.75
<b>Thatcher</b>	1979-1990	174	27	13.4
<b>Major</b>	1990-97	131	29	18

Source: House of Lords Library LLN2008/019 *Peerage Creations 1958-2008*.

A turning point was the vote of the *House of Lords Act* in 1999. The Act, introduced by the recently elected Labour government as the first stage of a more comprehensive reform, removed all but 92 of the hereditary Peers from the House,<sup>29</sup> thus leading to an instant doubling of women's presence without there being any increase numerically. Because there were very few women among hereditary peers, the simple fact of abolishing most of the latter meant that, without any addition to their numbers, the proportion of women in the House progressed from 8% in April 1999 to 16% in June 2000. Since then, the ratio of female Peers to male Peers has continued to increase, although more slowly. Between 1999 and 2012, the number of female Peers has increased from 106 at the start of the 1999/2000 session to 182 (23%) today.

### **AN UNFINISHED BUSINESS**

In accordance with the 1999 White Paper, the Government established in May 2000 a non-statutory Appointments Commission which took over from the Prime Minister the task of considering people for non-political peerages (the former Honours' List recommendations). The first fifteen peers recommended by the Appointments Commission were announced on 26 April 2001, two months before the general elections. Four of them only were women.

<sup>29</sup> One of the fifteen hereditary Peers who were elected by the whole House in 1999 was a woman: the Countess of Mar, a crossbencher. Four of the 75 who were elected by their party groups were women: Baroness Darcy de Knayth, Lady Saltoun of Abernethy, Baroness Strange and Baroness Wharnton, who were all elected by the crossbench Peers.

Following its re-election, in May 2001, the Labour Government announced that it would introduce legislation to complete the reform by implementing the conclusions of the Royal Commission on the Reform of the House of Lords that it had appointed in 1999 (the *Wakeham Commission*).<sup>30</sup> While the question of gender balance in the House of Lords had not been raised in any piece of legislation or significant reform proposal since the *Peerage Act 1963*, the report published in January 2000 (*A House for the Future*) noted that “The House of Lords ha[d] for far too long contained an excessive proportion of white males” and that “[e]ven the present life Peerage, although it include[d] a higher proportion of women and members of minority ethnic groups than the former House of Lords, [was] far from being representative of British society in either respect.” “The reformed second chamber,” the report recommended, “should be different. There should be steady progress towards gender balance and a more substantial representation of minority ethnic groups.” (*Ibid.*, 98-9)

The White Paper published by the government in November 2001 followed these recommendations and proposed to establish a statutory independent Appointments Commission that would ensure that at least 30 percent of new appointees were women and 30 percent were men, so as to work “towards making steady gender balance in the chamber as a whole over time” (*The House of Lords: Completing the Reform*, November 2001, Cm 5291, paragraphs 65–66).

Similarly, the Joint Committee on House of Lords Reform that was established in May 2002 later published a report which suggested that the House of Lords was not “representative” enough of the population and noted that it was “overwhelmingly male.” (Joint Committee on House of Lords Reform, First Report, December 2002, HL Paper 17 of session 2002–0310). It argued that a fully appointed House could more easily be made representative of sections of society (ethnic groups, sexes, etc.) and that it would be the responsibility of the new statutory body, the Appointments Commission, to ensure that such representativeness was achieved (*Ibid.*, part 5, option 1 (A fully appointed House), paragraph 64). In the case of a fully elected House, it suggested, “some form of indirect election might possibly be a better way of achieving the aims of representativeness and regional balance in a second

---

<sup>30</sup> Amongst the report’s recommendations were: the new chamber would have around 550 members; it would include a “significant minority” of elected members; these elected members would represent the nations and regions, and serve three electoral cycles – equivalent to 12-15 year terms, depending on the electoral method used; the Appointments Commission would ensure the party balance in the chamber mirrored votes cast at the last General Election, and that 20% of members were not aligned to any of the main parties

chamber” than a “first-past-the-post” system (*Ibid.*, part 5, option 2 (A fully elected House), paragraph 69).

Even though these attempts at reforming the House of Lords that were undertaken during the second term of the Labour government failed, all following consultation papers and committee reports now included references to gender balance: the second consultation paper, published by the government in September 2003, stated that, in the House of Lords, “we wish to see a mix of independent members that are representative of the nations and regions of the UK and are balanced in terms of age, gender, ethnicity, disability and faith” (*Constitutional Reform: Next Steps for the House of Lords*, September 2003, CP 14/03, p. 44, paragraph 53), and a new White Paper published in February 2007 following discussions of a cross-party working group convened by the Leader of the House of Commons proposed a hybrid House with at least 20 percent non-party political appointments, and the rest elected through a partially open list system, which was presented as favourable to representativeness:

Under this kind of system, parties will wish to consider how they ensure that their lists are representative of the diversity of the United Kingdom. The government will consult on and consider whether there is a case for making diversity a formal requirement for party lists, in respect of gender and/or ethnicity, and/or other factors (*The House of Lords: Reform*, February 2007, Cm 7027, 39, paragraph 7.94).

The White Paper was followed by a free vote in both Houses on the composition of the second chamber in March 2007. The Commons voted overwhelmingly for a fully elected House of Lords<sup>31</sup>. The peers themselves, however, voted in favour of a fully appointed House of Lords.

In July of the following year a further White Paper (*An Elected Second Chamber: Further Reform of the House of Lords*, July 2008) was published by the Secretary of State for Justice and Lord Chancellor, Jack Straw, who insisted that House of Lords reform had to be based on the will of the Commons – “the primary chamber in our legislature”. This 2008 White Paper proposed an 80–100% elected second chamber, with one third being elected at each general election, for a term of approximately 12–15 years, within a bicameral legislature in which the House of Commons would retain primacy. A draft *House of Lords Reform Bill* published in November 2009 set out how

---

<sup>31</sup> The Commons voted by 337 to 224 in favour of a 100% elected Lords, the first time they had come to terms with the idea that they could coexist with an elected element in the Upper House. These results, however, must be tempered by the knowledge that some traditionalist MPs voted for 100% elections as a deliberate ploy to sabotage hopes of getting consent from the Lords themselves.

the government intended to take forward the 2007 Commons vote in favour of an elected second chamber and build on the proposals of the 2008 White Paper. It was designed to address what Jack Straw described over the summer as “the unfinished business” of making the second chamber more democratic.

### THE FAILURE OF THE *LORDS REFORM BILL 2012-13*

Attempts at reforming the House of Lords were resumed under the Coalition government that came to power following the May 2010 elections.<sup>32</sup> Reform of the House of Lords had been a manifesto commitment for the three main parties and had been included in the Coalition Agreement between the Conservatives and Liberal Democrats. Following the election of the Conservative/Liberal Democrat coalition government in May 2010, it was announced that the two parties had agreed to establish a committee to bring forward proposals for a wholly or mainly elected upper chamber on the basis of proportional representation. Concerning women’s representation, the draft Bill that was published in May 2011 stated that:

There is widespread agreement that the balance between men and women members in Parliament needs to be improved. Research suggests that the choice of proportional representation should facilitate the election of women to the reformed House of Lords. However, parties also have an important role to play in ensuring that Parliament reflects the society that it serves.

Reform of the House of Lords is therefore an opportunity to consider how to increase the participation of women in Parliament. The political parties and the government should consider how to achieve this (*House of Lords Reform Draft Bill*, May 2011, Cm 8077, p. 17, paragraphs 48 and 49).

This aspect of the bill, and the argument that women only represented one fifth of the House, was put forward on several occasions during the second reading. Deputy Prime Minister Nick Clegg, who was responsible for its introduction, noted on that occasion that “the combination of elections by proportional representation, single terms and a specific duty on the appointments commission to consider diversity could encourage more women, more members of black and minority ethnic communities and more

---

<sup>32</sup> In the meantime, the House of Lords had undergone a few changes: the *Constitutional Reform and Governance Bill* (2008-09), which was enacted in April 2010, had provided for the abolition of by-elections for hereditary peers and made provisions to allow for the suspension, resignation and expulsion of Members of the Lords.

people with disabilities to serve" (*House of Lords Reform Bill*, 2<sup>nd</sup> reading, 9 July 2012: Column 36).

A response to manifesto commitments by each of the three main parties, the Bill, however, aroused controversy among Conservative backbenchers, some of whom were concerned that a mostly elected House of Lords would challenge the primacy of the Commons or felt that reform was not a priority at a time of economic difficulty. While the vote on second reading was won, over 90 Conservative Members thus voted against, and the Bill was not sent to committee. On 6 August 2012, Nick Clegg announced that it would not proceed further and, on 3 September 2012, confirmed that it had been withdrawn due to the opposition from Conservative backbenchers, claiming that the Conservatives had "broken the coalition contract". With this defeat, the hope for reformers to see further change impact the position of women in the Upper House seemed to be vanishing once again.

#### FACILITATORS AND CONSTRAINTS TO WOMEN'S REPRESENTATION IN THE HOUSE OF LORDS

There are currently several routes to membership of the House of Lords: as Life Peers (the largest group), as hereditary Peers and as Bishops. As women are so far excluded from the latter group and as the number of hereditary peers is to decrease over time,<sup>33</sup> the only route left for women to access the House of Lords is through life peerages. As Christina Eason points out, there are no electoral cycles whereby the House membership faces wholesale change and no annual statutory fixed numbers of appointments either. The Prime Minister has discretion on the numbers of appointments, which means the political opportunity structure is highly unpredictable (Eason 107).

All party political appointments to the House of Lords are made by the monarch on the advice of the Prime Minister. The latter also takes into account recommendations from the other party leaders. Between July 1958 and June 2012, a total 1,385 peerages<sup>34</sup> were conferred: 1,145 to men, 240 (17.3%) to women.<sup>35</sup> By comparison, the number of party political Life Peers who have been appointed since 1958 is 1,003, 239 of whom (19.2%) were women (McGuinness).

<sup>33</sup> Today, only two female hereditary Peers in their own right sit in the House: Lady Saltoun of Abernethy and the Countess of Mar; the rest of the group of five who were elected in 1999 have died and have been replaced through by-elections for hereditary Peers by male peers.

<sup>34</sup> Including Life peers, Law Lords and Hereditary peers.

<sup>35</sup> Sources: House of Lords Library LLN2008/019 *Peerage Creations 1958-2008*; House of Commons Library SN/PC/5867 *Peerage Creations since 1997*.

For Meg Russell (100), the low percentage of party political peerages which was conferred to women reflected the tendency of political parties to offer peerages to reward achievement in the House of Commons. Recent statistics appear to confirm this: of the 528 Life Peerages which have been created since 1997, 153 (or 29 percent) have been given to ex-MPs (Leys, 11). As the proportion of women in the Lower House was lower than 10% until 1997 and is today no higher than 22%, women's representation in the House of Lords is therefore still unlikely to reach higher levels.

Yet, if we look at figures (cf. table 3), it appears that some Prime Ministers and party leaders have actively sought to increase the number of women in the House of Lords. Thus, while women never received more than one-fifth of appointments before 1997, they comprised over 20% of new appointees to the House of Lords under Tony Blair's premiership,<sup>36</sup> nearly 30% of appointments under Gordon Brown and 31% under David Cameron.

**Table 3:** Life peerages given between May 1997 and June 2012 – gender breakdown

	Years in office	Male	Female	% of women
<b>Blair</b>	1997-2007	286	88	23.5
<b>Brown</b>	2007-2010	24	10	29.4
<b>Cameron</b>	2010-	84	38	31

Source: Richard Kelly "Peerage Creations since 1997" - Commons Library Standard Note SN05867, 13 June 2012.

As for the Liberal Democrats, their 2011 party conference adopted a resolution on gender balance in the House of Lords, which called on Liberal Democrat parliamentarians to:

- i) ensure the reformed House begins its mandate with in-built gender balance
- ii) pilot modern flexible working practices in the reformed House
- iii) ensure any further interim appointments mitigate, rather than perpetuate, the current gender imbalance, and, if an appointed element is retained,
- iv) press for a transparent skills and competency based approach to new appointments (*15.10 Policy Motion: Lords Election by 2015*, 17 September 2011).

The House of Lords Appointments Commission (HOLAC), which was established in May 2000 as an advisory public body to make recommendations to the Queen for non-political Peers and to vet for propriety all nominations

<sup>36</sup> Several female peers quoted in Eason's study confirm that Tony Blair deliberately appointed more women to the House (Eason, 405).

for peerages (including those from political parties), also appears to have contributed to the feminization of the House of Lords. To date, the HOLAC has indeed appointed 59 crossbench Life Peers, 21 of whom are women.<sup>37</sup> This represents 36% of HOLAC's total appointments. Since women have on average made up 20 percent of those who apply to the HOLAC, Christina Eason suggests that the commission may be exercising a form of "positive discrimination," whether voluntarily or involuntarily, in their selection method (Eason 410).

To what extent a reform of the House of Lords would impact on women's descriptive representation is unclear. For *Counting Women In*,<sup>38</sup> having a wholly or mostly elected House of Lords would be likely to increase the number of women in the House of Lords but elections alone (even if held on the basis of proportional representation) are not enough and should be completed by the use of "positive action measures" "such as quotas, all-women-shortlists, zipping or twinning shortlists such that women and men are equally represented, or reserved seats for women in appointment only systems" (*Written Evidence: Draft House of Lords Reform Bill*, Written evidence from Counting Women In (EV 39), July 2011, 207). The group recommended among others that "the legislation should require the political parties to ensure the selection of equal numbers of women and men as candidates for election to the new Upper House" (208).

## CONCLUSION

Attempts at incremental changes concerning women's access and presence in the House of Lords have always been hindered by the anticipation of more large-scale reforms. This was the case in the 1920s, with the Cabinet committee on Lords reform, as well as throughout the 1940s and 1950s. Following the passage of the *Life Peerages Act 1958* and the *Peerage Act 1963*, which respectively included amendments to allow women into the House as Life peers and peeresses in their own right, the question of gender balance in the House of Lords was not raised in any piece of legislation, bill, or significant reform proposal until the Wakeham Commission published its report in

<sup>37</sup> When the HOLAC was established, the government stated that, in considering applications for cross-bench Life Peers, its members had to take into account the impact of an individual's nomination on the composition and balance of the House as a whole, in relation to the range of expertise, experience and outlook and the spread of gender, age, ethnic background and geographical representation (*House of Lords Appointments Commission Report On First Term 2000–2003*, HOLAC, 17 July 2003, 29).

<sup>38</sup> *Counting Women In* is made up of the Electoral Reform Society, the Fawcett Society, the Hansard Society and Unlock Democracy.

January 2000 (*A House for the Future*). The significant increase in the number of women peers that has taken place since the late 1990s is however mostly the by-product of the first stage of an intended full-scale reform and, to a smaller extent (because of the necessarily gradual aspect of the progress allowed by the current workings of the House), of individual positive action. In this respect, the appointment of thirty new peers to the House of Lords in August 2013<sup>39</sup> provided political parties with the opportunity to increase their share of women peers: the new list of appointees includes 12 women out of 30: 4 for the Conservative Party (28.5%), 2 for Labour (40%), 5 for the Liberal-Democrats (50%) and 1 for the Green Party (100%).

Véronique Molinari<sup>40</sup>

## BIBLIOGRAPHY

### *Primary sources*

#### HANSARD

##### 1. House of Lords Debates

*HL Deb*, 15 November 1918, vol. 32.

*HL Deb*, 02 July 1924, vol., 58.

*HL Deb*, 21 May 1925, vol. 61.

*HL Deb*, 4 June 1926, vol. 64.

*HL Deb*, 3 December 1957, vol. 206.

*HL Deb*, 17 December 1957, vol. 206.

*HL Deb*, 21 January 1959, vol. 213.

##### 2. House of Commons Debates

*HC Deb*, 06 November 1918, vol. 110.

*HC Deb*, 26 November 1919, vol. 121.

*HC Deb*, 28 October 1919, vol. 120.

---

<sup>39</sup> These appointments, a couple of months only after the collapse of legislation meant to reduce the second chamber, reignited controversy and was an embarrassment to all three party leaders, who had pledged in their manifestos to cut the number of peers.

<sup>40</sup> Véronique MOLINARI is a university professor in British studies at the Université Stendhal-Grenoble III. Her work focuses on Victorian and Edwardian Great-Britain as well as on the question of women's role in political life. She has widely published on this issue, among which: *Le vote des femmes et la Première Guerre mondiale en Angleterre* (L'Harmattan, 1996), *Citoyennes, et après ? Le droit de vote des femmes et ses conséquences en Grande-Bretagne, 1918-1939* (Bern: Peter Lang, 2008), *Women and Science, 17<sup>th</sup> Century to Present: Pioneers, Activists and Protagonists*, (with Donna Andreolle, Cambridge Scholars Publishing, 2011) & *Droits des femmes, droits des autres, Des féministes britanniques face aux autres exclus de la Citoyenneté (1860-1930)* (collective work, Presses Universitaires Blaise Pascal de Clermont-Ferrand, 2012).

- A House for the Future*, Royal Commission on the Reform of the House of Lords, January 2000.
- An Elected Second Chamber: Further Reform of the House of Lords*, July 2008.
- House of Lords Reform Draft Bill*, May 2011, Cm 8077.
- Constitutional Reform: Next Steps for the House of Lords*, September 2003, CP 14/03.
- GATES, G. Evelyn. *The Woman's Year Book, 1923-24*, London: Women Publishers, 1925.
- House of Lords Appointments Commission Report On First Term 2000-2003*, HOLAC, 17 July 2003.
- Joint Committee on House of Lords Reform, First Report*, December 2002, HL Paper 17 of session 2002–0310.
- The House of Lords: Reform*, February 2007, Cm 7027, p. 39, paragraph 7.94.
- Joint Committee on House of Lords Reform - First Report*, December 2002.
- Joint Committee On The Draft House of Lords Reform Bill, written evidence received and accepted by the Committee as evidence for its ongoing inquiry into the Draft Lords Reform Bill*, 2011.
- Proceedings and Minutes of Evidence taken before the Committee of Privileges*, Margaret Haig, Viscountess Rhondda, House of Lords, 1922.
- The House of Lords Completing the Reform, A Government White Paper Presented to Parliament by the Prime Minister By Command of Her Majesty, 7 November 2001.
- Written Evidence: Draft House of Lords Reform Bill*, July 2011.
- 15.10 Policy Motion: Lords Election by 2015*, 17 September 2011.

### **Secondary sources**

- BROCKLEHURST, Alex. *Peerage Creations 1958-2008*, House of Lords Library LLN2008/019, 24th July 2008.
- BROCKLEHURST, Alex & Kelly, Richard. *Peerage Creations since 1997*, House of Commons Library SN/PC/5867, 12 June 2012.
- BROCKS, Jenny & Gavin, Drewry. *The Impact of Women on the House of Lords*, Centre for the Study of Public Policy, University of Strathclyde, 1983.
- BROMHEAD, P.A. *The House of Lords and Contemporary Politics, 1911-1957*, London: Routledge & K. Paul, 1958.
- CENTER FOR ADVANCEMENT OF WOMEN IN POLITICS, "Former Women Members Of The House of Lords", <http://www.qub.ac.uk/cawp/UKhtmls/formerlords.htm>
- CRACKNELL, Richard & Strickland, Pat. *House of Lords Reform: Development since 1997*, Research paper 01/77, 24 October 2001.
- DYMOND, Glenn. *The Life Peerages Act 1958*, House of Lords Library Notes 21st April 2008.
- EASON, Christina. "The Representation of Women in the transitional House of Lord," PHD, University of Manchester, 2010.
- EOFF, Shirley M. *Viscountess Rhondda, Equalitarian Feminist*, Columbus: Ohio State University Press, 1991.
- HAYMAN, Baroness. "Women in the Lords: *The Life Peerages Act*—Women and Change in the House of Lords since 1958", 6 December 2007.
- LEYS, Dorothy. *Women in the House of Lords*, House of Lords Library Notes, 2012/005, 14 March 2012.

- MCGUINNESS, Feargal. *House of Lords Statistics*, Standard Note: SN/SG/3900, last update: 4 July 2012.
- RICHARD, Kelly. *Peerage Creations since 1997*, Commons Library Standard Note SN05867, 13 June 2012.
- RUSSELL, Meg. *Reforming the House of Lords: Lessons from Overseas*, Oxford: O.U.P, 2000.
- SUTHERLAND, Duncan. "Peeresses, Parliament and Prejudice: the Admission of Women to the House of Lords, 1918-1963", *Parliaments, Estates and Representation*, 2000.
- VISCOUNTESS, Rhondda. *This Was my World*, London: Macmillan, 1933.
-