Cowley and Stuart (2000) note that Blair’s Labour administrations demonstrated a remarkable degree of cohesion and that no Prime Minister has enjoyed the level of back-bench support that Blair has enjoyed. This may itself be a product of the tendency of new Labour to wrest a great deal of control over prospective parliamentary candidate selection from the Constituency Labour Parties. Despite this there have been a number of rebellions by ‘new’ Labour backbench MPs.

Rebellions

Single Parent Benefits: (Rebellion 47)

Disability Benefits (Rebellion 65)

Part Privatisation of Air Traffic Control (Rebellion 37)

Tuition Top Up Fees (Rebellion 72)

Iraq (Rebellion 139)

Pensions (Rebellion 41)

Foundation Hospitals (Rebellion 62)

Trial By Jury (Rebellion 33)

Amendments to the ATCSA (Rebellion 32)

10p tax rate abolition (Rebellion 30)

The Role of the House of Lords is to amend delay or reject government legislation.

The Government has been defeated in the House of Lords on the following issues in the session 2003-2004:

- Armed Forces Pensions and Compensation
- Treatment of Asylum Seekers
- Constitutional Reform
- Domestic Violence
- Higher Education
- Housing
- Pensions
January 2010: Study the following passage and answer the questions that follow. White Paper on reform of the House of Lords

This White Paper sets out the government’s proposals for a reformed second chamber of the UK Parliament. The proposals are based on the House of Commons votes for an 80% or 100% elected second chamber and follow cross-party talks on how this could be achieved. The White Paper makes proposals for reform in a number of areas:

Role and composition

The House of Lords plays a valuable role in holding the government to account and revising legislation. The reforms would strengthen those roles and make the second chamber more accountable. The House of Commons would continue to be the primary chamber in the UK legislature.

Membership of the chamber

The proposed reforms would create a second chamber with directly elected members, which would be smaller than the House of Commons. The remaining rights of hereditary peers to sit and vote in the second chamber would be removed.

Powers of the new chamber

The government proposes no changes to the powers of a reformed second chamber.

The possible role of appointed members to ensure independence

If it is decided that there should be a 20% appointed element, the government proposes that its key purpose would be to provide a significant independent element in the second chamber. A statutory appointments commission would seek nominations and applications for membership. The government is also proposing changes to the arrangements for eligibility, remuneration and accountability.


(a) With reference to the source, what changes to the second chamber are proposed?

The hereditary peers would be removed. Note – the remaining 92 Hereditary peers following the House of Lords Act 1999.

The whole House might be elected. The vast majority of other countries which are bicameral have no substantial issues arising from having both chambers elected.

It may be that it would be 80% elected and 20% appointed
The elected/part elected second chamber. The executive is too dominant over parliament and in particular the house of commons. A government with a five year mandate and an effective whips office amounts to an elected dictatorship. A more, democratic, representative Lords would be a more effective check on executive arrogance than the supine HOC.

Committee for backbench business The committee for backbench business gives backbenchers more control over the parliamentary timetable

The proposed business committee. This was proposed by the Wright Committee of 2009 and takes some of the control away from the government.

(c) To what extent will the coalition government’s proposals bring about an effective reform of Parliament?

Either implicitly or explicitly knowledge and understanding should include material about the problems faced by parliament currently. These may include, for example,

The House of Lords lacks democratic legitimacy. It is undemocratic to have people wielding legislative power on the basis of appointment. Appointment also allows the pm to shape the political composition of the 2nd chamber without any effective check or oversight.

The House of Commons has fallen into public disrepute. This is particularly so in respect of the expenses scandals of 2009

MPs have too little time and opportunity to debate their own concerns and so call government to account. The 535 members of congress have 38,000 research and admin staff between them. MPs in totality will have around 1500 between them. It is difficult if not impossible to scrutinise the vast array of statutory instruments in each session.

There has, arguably, been excessive executive control of parliament. The PM controls the parliamentary timetable. In addition MPs have very little opportunity to effectively scrutinise the vast amount of legislation that now comes through via secondary means such as Statutory Instruments. In 2009 3,699 SIs were issued. Legislative committees are subject to the pressures of the guillotine and kangaroo motions.

Parliament is politically and socially unrepresentative as a result of the electoral system and the system of appointing peers. There are 146 female MPs (about 25%) and 37 MPs from ethnic minorities (about 0.5%). In addition there is very little to zero political representation. The greens have one seat and UKIP (an emerging force) have no seats. Peerages are in the prime minister’s gift and the pm can use this power to shape and mould The House of Lords.

The discretionary exercise of the royal powers and the power of patronage reside fully with the PM with very few modifications.

Knowledge and understanding should be shown of which of the coalition proposals will address these issues with accurate links made between the problem and the proposal(s) designed to create improvement.

Note: Responses which refer to only one house of parliament cannot be awarded above a level 2 mark for AO1
The legal sovereignty of parliament is mainly challenged by the EU. Knowledge of the relationship between the UK and the EU should be full and exemplified.

Devolution is often seen as a de facto transfer of sovereignty.

Knowledge of the relationships between Westminster and the devolved administrations. Referendums can also be seen in the same light as devolution.

Investigation of the transfer of political sovereignty over a long period to executive government and the prime minister.

There should be a clear statement of how legal sovereignty remains with parliament.