

Lord Speaker's committee on the size of the House

Inquiry response from the British Humanist Association

5 March 2017



About the BHA

The British Humanist Association (BHA) is the national charity working on behalf of non-religious people who seek to live ethical and fulfilling lives on the basis of reason and humanity. We promote Humanism, support and represent the non-religious, and promote a secular state and equal treatment in law and policy of everyone, regardless of religion or belief. Founded in 1896, we have around 55,000 members and supporters, and over 70 local and special interest affiliates.

Summary

We believe there should be no place for bishops in the House of Lords, as of right. Their presence is unfair, in privileging one denomination of one religious group over those of other religions and beliefs. It is unjustified, in that there is no logical rationale for such provision. And it is unpopular, with over 70% of the public, including of Christians, believing they should be removed.

While numerically the bishops represent a small fraction of the number of peers in the House of Lords, removing them would be one of the easier reforms that could be made to bring the size of the chamber down.

We also oppose any proposals to try and make the bishops' presence less egregious by appointing as of right leaders of other religions and beliefs, as we cannot see a way to do this. However, to be clear, we do not oppose religious leaders from being members of the House of Lords where they are appointed or elected by the same means as any other member.

The privileges of the bishops

Currently, 26 bishops sit as members of the House of Lords as of right (the so-called Lords Spiritual). These bishops enjoy full voting and speaking rights, and in fact have privileged rights over any other group of peer:

- **Speaking privileges:** When a bishop wishes to speak, the custom is that those of other parties will automatically give way. Bishops also don't have to follow any party quota system on how often they can speak.
- **Seating privileges:** They also get privileged access to the chamber than those of other religions: they have their own bench, and as the day starts with prayers, those of non-Anglican faiths often feel unable to enter until after the prayers are over, and if there is a popular debate on first this may make it harder for them to get seats.
- **Privileged say in new legislation:** Finally, the bishops are consulted as a party bloc on new legislation before it is tabled, giving the Church of England additional privileged say over those of other beliefs on anything the government of the day wishes to propose.

BHA research indicates that the bishops' votes in fact changed the outcome of a eight votes between 2002 and 2015, with the addition of ex-bishops' votes changing a further three. And this is ignoring the influence their presence has on the voting patterns of others.

Then there are **demographic privileges**. Due to the recency with which women bishops have been

allowed in the Church of England, just two of the 26 bishops (or 7%) are women. But even putting that demographic imbalance to one side, average weekly Church of England attendance now stands at under one million people,¹ out of a population of over 65 million,² or 1.5%. So, even if there were no other weekly-worshipping Anglicans in the House of Lords, the fact that the bishops constitute 3.2% of all peers still means this demographic is greatly overrepresented.

And this is to say nothing of how views of the Church of England hierarchy are out of step with rank and file Anglicans on all sorts of issues,³ including stem-cell research, abortion, same-sex marriage, and, ironically, whether the bishops should continue to have a place in the House of Lords – as we shall now come onto.

Public opposition

In addition to being antithetical to the principles of democracy and equality, the decision to retain the reserved seats in Parliament for Bishops is also deeply unpopular with people of all faiths and none, and across the political spectrum.

- **74% of Britons oppose** bishops sitting in Parliament.⁴
- **A majority of the supporters of the three main parties** (62% of Liberal Democrat voters, 53% of Labour voters, and 52% of Conservative voters) **oppose** bishops sitting in Parliament.⁵
- **70% of British Christians oppose** bishops sitting in Parliament.⁶
- Amongst the general public, **representatives from the Church of England and religious groups are the least favoured for appointment to the Lords**, with just 37% being supportive (other categories included judges, business leaders, trade union leaders, writers, composers, academics).⁷

Arguments made for retaining the bishops

There seem to be two particularly prominent arguments for retaining the bishops, namely that this is a Christian country, and that removing them will lead to disestablishment. We deal with both in turn.

‘Christian country’: Some sometimes argue that we should retain the bishops because of the notion that Britain is a Christian country. But as we have explained already, just 1.5% of the population attends a Church of England Church on the average week; just 17% identify as Church of England.⁸ And that is to say nothing of how representative the bishops are of this group’s views (they’re not), whether there are other Anglicans in the chamber anyway (there are), nor whether it even logically follows from the notion that Britain is a Christian country that there should therefore be representatives of one denomination of Christianity automatically appointed to Parliament (it doesn’t - nowhere else in the world does this).

Disestablishment: Some sometimes argue that removing the bishops means disestablishing the Church of England. But this is incorrect. As the Government itself reported in 1998:

¹ *Statistics for Mission*, Church of England (2015), page 20:

<https://www.churchofengland.org/media/3331683/2015statisticsformission.pdf>

² Population estimates, Office of National Statistics:

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates>

³ See various ethical issues at ‘Religion and belief: some surveys and statistics’, BHA:

<https://humanism.org.uk/campaigns/religion-and-belief-some-surveys-and-statistics/>

⁴ ICM, March 2010: http://www.ekkleisia.co.uk/content/survey_on_bishops_icm.pdf

⁵ YouGov, June 2012:

http://d25d2506sfb94s.cloudfront.net/cumulus_uploads/document/s9zuj152zl/YG-Archives-YouGov-LordsReform-270612.pdf

⁶ ICM, March 2010: http://www.ekkleisia.co.uk/content/survey_on_bishops_icm.pdf

⁷ YouGov, January 2003: <http://www.parliament.uk/briefing-papers/LLN-2012-028>

⁸ British Social Attitudes Survey, 2015:

http://www.britsocat.com/BodyTwoCol_rpt.aspx?control=CCESDMarginals&MapID=RELIGION&SeriesID=12

Bishops have always been members of the House of Lords. Originally they were summoned in their dual role as major landowners and as the king's counsellors. In more modern times, the presence of the Bishops became increasingly associated with the establishment of the Church of England, although in law the two are quite separate. The establishment of the Church of England rests upon Parliament's powers over its legislation and the requirement for the Sovereign as its Supreme Governor to be in communion with it. The Bishops and Archbishops now sit by virtue of the Bishops Act of 1878, which provides for the two Archbishops, the Bishops of London, Winchester and Durham, and the next 21 most senior diocesan Bishops to have a seat in the House of Lords.⁹

Therefore it is perfectly possible to remove the bishops whilst leaving establishment more generally intact.

This should be obvious from the fact that many other countries, including Scotland, have established churches, but no faith representation in their legislatures.

What about introducing other religious leaders?

Some argue that instead of removing the bishops outright, it would be better to add representation for other religions (and perhaps also non-religious beliefs) so that all are represented.

In the context of moves to reduce the size of the House of Lords, this seems particularly misguided. But it is also problematic for a number of other reasons:

- It is impossible to work out a fair way to make such appointments that reflects the demographics of the population, and keep up with changing demographics.
- Even if it were not for the above problem, it seems unlikely that such religious leaders will have views representative of their flocks, much as with the Church of England bishops not representing theirs.
- Many religious hierarchies allow men but not women to join their clergy, leading to potential gender discrimination in any such appointments, as has historically been the case with the Church of England.
- Some religions and beliefs may not wish to have representatives appointed to the chamber in this way, meaning that even if a fair way of apportioning such appointments can be agreed, it may still be impossible to put this into practice. With other religions and beliefs, with no clear hierarchical structures, it also will not be clear who to approach to determine who should be appointed.
- At any rate, such a proposal seems designed simply to solve a problem that is not there. Were the chamber to become elected, or fully appointed along meritocratic lines (for example), then it should be the case that the result of the election is one that reflects society as a whole. We already see many in the House of Commons who hold a variety of strong religious convictions. Therefore ensuring religious representation is superfluous to guaranteeing this happens in the Lords.

In sum, the presence of the bishops is unfair, unjustified, and unpopular. For all the reasons set out above, we believe they should be removed.

For more details, information and evidence, contact the British Humanist Association:

Richy Thompson
Director of Public Affairs and Policy

⁹ *Modernising Parliament: Reforming the House of Lords*, Cabinet Office, 1998:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/260760/4183.pdf

0781 558 636

020 7324 3072

richy@humanism.org.uk

www.humanism.org.uk

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