



**Submission from the
Muslim Council of Britain**

To the Joint Committee on the draft House of Lords
Reform Bill

October 2011

Introduction

1. The Muslim Council of Britain (MCB) is an inclusive umbrella body that represents the interests of Muslims in Britain and is pledged to work for the common good of the society as a whole. It was founded in 1997.
2. The MCB is made up of major national, regional and local organisations, specialist institutions and professional bodies. Its affiliates include mosques, educational and charitable bodies, cultural and relief agencies, women and youth groups and associations. At present it has over five hundred affiliates.
3. The Muslim Council of Britain is a non-partisan organisation that does not endorse any political parties. But we do have a duty to encourage greater political participation amongst Muslims, and in helping Muslims make informed choices.
4. MCB's specialist work is undertaken at a committee-level, and this submission is based on consultations involving members of its Legal Affairs and Public Affairs Committees. The MCB welcomes this opportunity to comment on the Coalition Government's white paper and draft bill on the reform of the House of Lords.

Background

5. Muslims are a community with a sense of the sacred, believing that a civilised society depends on the strength and preservation of sacred values. It is on this basis that in the wake of the Satanic Verses affair of the early 1990s our community did not call for the abolition of the law of blasphemy which affords protection to the Anglican faith.¹ Similarly the MCB does not covet the historical pre-eminence of the Church of England in English law and in our unwritten Constitution.
6. The MCB is committed to supporting measures that promote a socially cohesive and genuinely pluralistic society free from all forms of discrimination. Muslims are the second largest religious community in the UK but stand under-represented in both the Lower and Upper House. The political parties have much more work to do in mentoring and encouraging Muslims with political ambitions. Similarly there is no dearth of Muslims who have a record of public service and who are capable and willing to contribute in the highest political and democratic institutions of this country.

Substantive Response

7. The MCB is concerned that the proposals for an elected Upper House will adversely affect the checks and balances on power that is currently in place. If the majority of members of the new Lords are elected on party lines, then the level of scrutiny and debate on legislation will be reduced if a

¹ For example, see 'Muslims and the law in multi-faith Britain – Need for Reform', UK Action Committee on Islamic Affairs, Autumn 1993; p.39

single party holds the majority in both Houses. The 80/20 allocation of elected/appointed members should therefore be reconsidered. There is also a risk of stalemate in legislative process if a more assertive Upper House claims equal authority by virtue of same popular electoral mandate as the Commons, which should retain primacy in the legislative process.

8. The Lords presently provides a mechanism for the men and women of distinction and wisdom to contribute to national affairs, without dependence on any party political machinery because they have largely eschewed ambitions of gaining political power. This arrangement has evolved over many years and after much experience and should not be jettisoned for change's sake.
9. The Lords's capacity for expert oversight and impartiality has been affected by the disqualification of the 12 Law Lords from sitting or voting since October 2009. Moreover newly appointed Justices to the Supreme Court no longer have the right to sit in the Lords.
10. The proposal now to reduce the number of Lords Spiritual from the current 26 to 12 will be disastrous because there will be practically further reduced voice for the spiritual and moral dimension in formulating new law or influencing public policy.
11. To reflect the diversity and plurality of modern Britain and to add to complement the Lords Spiritual, there should be representatives of the country's minority religious communities². If this principle is accepted, then clearly further reflection is needed on the modalities for such appointments. However, this should not be difficult to formulate as all major religious communities have well developed national representative bodies which can provide the link. MCB would be pleased to present specific proposals in this regard for our community.
12. A strengthened voice of faith within the heart of British governance will go some way in addressing the various corruption scandals that have befallen both Houses in recent years thus eroding public confidence.
13. The MCB does not have a view on whether the Peers should be appointed for life or the duration of three Parliaments. However it questions the requirement for Peers to be full-time parliamentarians. This may exclude senior figures e.g. vice chancellors of universities. who can provide essential expertise and knowledge to bear on debate.
14. The right of Peers to sit in the House of Lords and play a role in the shaping of legislation by virtue of inheritance is an anachronism and the MCB would support the gradual reduction of hereditary peers from an Upper House.
15. In conclusion, we are supportive of this consultation in terms of providing the space for faith and community organisations to offer feedback on the reshaping of our constitutional hierarchy.

² The generally accepted main minority faith communities are: Buddhist, Hindu, Jewish, Muslim, Sikh e.g. in the National Census