None of the Above

The UK House of Commons votes on Reforming the House of Lords, February 2003*

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Abstract

In February 2003, members of the UK House of Commons voted on seven resolutions as to the future of the House of Lords. In quick succession, each possibility for reform was considered and then rejected at division. This paper examines plausible causes of this strange result. Inter alia, we reject notions of a voting cycle. We find that myopic and/or strategic voting by MPs was salient. We then explore the main voting groups and their party compositions.

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1 Introduction

The preamble to the UK’s Parliament Act 1911 (1 & 2 Geo. 5 c.13) states that that Act is a temporary measure only:

Whereas it is intended to substitute for the House of Lords as it at present exists a Second Chamber constituted on a popular instead of hereditary basis, but substitution cannot be immediately brought into operation...

Attempts to bring the substitution into operation in 1949 and 1968 failed. The Labour Party’s 1997 Manifesto states:

The House of Lords must be reformed. As an initial, self-contained reform, not dependent on further reform in the future, the right of hereditary peers to sit and vote in the House of Lords will be ended by statute. This will be the first stage in a process of reform to make the House of Lords more democratic and representative (Labour Party, [13] pp. 32-3).

The first stage of reform was enacted in 1999, although 92 hereditary peers remained. The Royal Commission on the Reform of the House of Lords [3] recommended that the second-stage house should have a small proportion of elected members - its preferred option was 87 out of 550 (16%), elected from regional lists. The subsequent Government White Paper *The House of Lords - Completing the Reform* [4] recommended that 120 out of 600 (20%) of the members of a future house be elected, but rejected the Royal Commission’s proposal that all appointed members should be chosen by an independent Appointments Commission.

This White Paper had a poor reception. The Lord Chancellor’s Department, which issued it, later analysed the responses to it. 82% of respondents discussed election; 89% of those ‘called for a house that was 50% or more elected’. 17% of respondents discussed the future of the Church of England bishops; 85% of those opposed their continued presence in the House. 12% of respondents discussed the Law Lords; 72% of those thought they should leave the House (Lord Chancellor’s Department [5]).

Its parliamentary reception was no better. An Early Day Motion (EDM) calling for a ‘wholly or substantially’ elected house attracted 303 signatures. The Public Administration Select Committee issued a unanimous report, pointedly entitled *The Second Chamber: Continuing the Reform* [11], which called for a predominantly elected second chamber.

The Government withdrew its White Paper and turned the matter over to a Joint Committee of both houses, comprising twelve MPs and twelve peers. It charged the Joint Committee with proposing a range of options, to include all elected and all appointed, and announced that there would be a free vote on
the options proposed by the Joint Committee.

The Committee issued its first report in December 2002, for debate in each House in January and votes in early February 2003. In the run-up to the debate, first the Lord Chancellor (Lord Irvine of Lairg) and then the Prime Minister let it be known that they opposed a partly elected House of Lords on the grounds that it would be a hybrid of elected and appointed members. This was a new objection, which had not appeared in the Royal Commission Report, nor in either of the Government White Papers. The second of those White Papers, proposing a hybrid upper house (20% elected, the remainder appointed: [4]) had emanated from Lord Irvine’s department.

On February 4, 2003, both houses of the UK Parliament voted on the seven resolutions put forward by the Joint Committee of both Houses. In the order that they were presented in the Commons, they proposed that the future house be:

- wholly appointed;
- wholly elected;
- 20% elected and 80% appointed;
- 80% elected and 20% appointed;
- 40% elected and 60% appointed;
- 60% elected and 40% appointed, and
- 50% elected and 50% appointed

A group of MPs added the eighth proposition that the House of Lords be abolished and that the Commons become a unicameral parliament. The Speaker accepted this as an amendment to the ‘zero elected proposition’

After long debates in each house, the two houses voted. The wholly appointed Lords supported a wholly appointed house by a substantial margin, and defeated the six elected options, each by a substantial margin. The outcome in the Commons was less predictable. The amendment to abolish the upper house was defeated by 392 votes to 174. In succession, each of the seven composition resolutions was then also defeated. The proposals for 20%, 40%, 50% elected were defeated without divisions.

Table 1 summarises these results. As there were 595 MPs in the House who voted on at least one of the contested propositions, we determine the vote on the three propositions rejected without divisions as 595/0 against. Table 1 lists the propositions in order of the proportion to be elected, not in the sequential order of voting.
Abolish  Zero  20%  40%  50%  60%  80%  All
     Elected  Elected  Elected  Elected  Elected  Elected  Elected
 Aye  174  247  0  0  0  255  283  274
 DNV  29  23  0  0  0  22  26  30
 No  392  325  595  595  595  318  286  291

Table 1: Commons Voting on Lords Reform Options. Key: DNV = “Did Not Vote”. Source: Division Lists in Hansard (Online Version) for 04.02.03. Base: all those who cast at least one vote. \( n = 595 \)

This was a surprising result. Robin Cook, Leader of the House, advised Members to ‘go home and sleep on this interesting position’ (Commons 04.02.03, col. 243[7]). The Joint Committee has been left rudderless.

The outcome contradicts the wishes of the elected house. The Commons voted against a wholly appointed upper house by 325 to 247 (an absolute majority of those present). But the outcome is that a wholly appointed upper house continues, albeit with the leaven of 92 hereditary peers and a number of law lords and bishops. By defeating eight resolutions to amend the status quo, the Commons was left with the status quo - but the status quo is barely distinguishable from one of the eight defeated outcomes, and one of the more decisively defeated at that. This paper explores, in the light of social choice theory, how such a paradoxical outcome can have arisen. It is structured as follows. Section 2 introduces and tests five hypotheses which might account for the paradox. Section 3 identifies and analyses the properties of the main blocs of voting MPs. Section 4 concludes.

2 Five Hypotheses

The format of each composition motion was

That this House approves Option xx (x per cent. elected/100-x per cent. appointed) in the First Report from the Joint Committee on House of Lords Reform (HC 171).-[Mr. Robin Cook.]

MPs could vote for as many of the composition motions as they wished. This was a version of Approval Voting (Brams and Fishburn [2]). The Joint Committee proposed this procedure (p3 [12]). Some of its members reasoned that each Member would see it was illogical to vote against all proposed compositions, and that at least one must therefore win a majority in each house. Others
supported multiple resolutions for the opposite reason, viz., in order to reduce the likelihood that agreement would be reached.

The Committee had discussed, but rejected, a rival procedure, namely requesting members of each house to rank the seven options in a single paper ballot. This procedure is called Alternative Vote (AV). It is used for elections to the Australian House of Representatives and frequently in club and society elections. It would have ensured that one option would be seen to ‘win’ by getting over 50% of the vote against its last remaining rival. If it was common knowledge on the Joint Committee that a substantially elected Lords was the most popular option among MPs, then those opposed to this outcome had an incentive to oppose AV.

Why did the Commons reject all seven composition options? We have thought of the following possibilities:

1. A majority-preferred composition of the upper house existed, but was never put to the vote.

2. Some of those who voted for abolition of the upper house then felt entitled, after the defeat of their favourite position, to vote against all the proffered options on composition.

3. No individual MP voted in a prima facie illogical way, but the aggregation of votes led to a collectively illogical result. A special case of possibility 3 is:
   3.1. There was a majority-rule cycle. If the pairwise preferences of MPs are tabulated, it could be that no option defeated all the others, but that there was a top cycle in which some option A defeated B by a majority, B defeated C by a (different) majority; and C defeated A by an (again different) majority.

4. Groups of MPs were unable to coordinate their votes

5. Groups of MPs voted against options they favoured in order to promote options they favoured even more.

6. Groups of MPs made mistakes

We test these hypotheses on the evidence of the debate and the division lists.

**Hypothesis 1** A majority-preferred composition of the upper house existed, but was never put to the vote.

Some advisers to members of the Joint Committee had recommended the procedure that was used, but with the modification that members of each House were to vote on ranges, not on points. As well as the points 0% and 100%, the resolutions would have named a mutually exclusive and jointly exhaustive set of ranges. The idea was that while the resolutions would be mutually exclusive (and jointly exhaustive), the votes would not be mutually exclusive. Members
of each House would vote for as many of the options as they approved. These
reformers hoped that at least one option would win in both Houses.

However, the Joint Committee recommended point resolutions ('20 per cent'),
not range resolutions ('between 20 and 40 per cent, both inclusive'). Its pro-
posals were mutually exclusive but not jointly exhaustive. Thus it is logically
possible that there existed a range of compositions that MPs approved of, but
which was not put to the vote. However, there is no evidence in the text of the
debate or in any surrounding media coverage for this hypothesis. We have traced
no statements, either in the debate or outside it, that some other composition
option should have been proposed\(^1\). We reject Hypothesis 1

**Hypothesis 2** Some of those who voted for abolition of the upper house then
felt entitled, after the defeat of their favourite position, to vote against all the
proffered options on composition.

The Speaker allowed an amendment in the name of George Howarth (Lab.).
This called for a unicameral parliament, and took the form of an amendment
to the Joint Committee's Option 1 (all appointed). There is a convention that
an amendment that fundamentally alters or negates the meaning of a resolution
should not be accepted ([8]: 343-346)\(^2\). However, if the Speaker had not called
the amendment, more abolitionists might have voted against all the composition
options than the ten who actually did.

The ten Members who voted for abolition of the upper house, and then against
all the composition options, are:

- Davies, rh Denzil (Llanelli)
- Ennis, Jeff (Barnsley E)
- Hinchliffe, David (Clydesdale)
- Hood, Jimmy (Warrington N)
- Jones, Helen (Glasgow Shettleston)
- Kidney, David (Blaenau Gwent)
- Marshall, David (Glasgow Shettleston)
- Skinner, Dennis (Warrington N)
- Smith, Llew (Blaenau Gwent)
- Watts, David

Nine of these ten are Labour members; one (David Watts) is a Liberal Demo-
crat. This group may be labeled the None-of-the-above Abolitionists: Their

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\(^1\) Gerald Kaufman MP (Lab.) complained about the absence of the 25% and 75% points,
but this was in the context of a broad-brushed attack on the Joint Committee rather than
a claim that he would have voted for one of these points ([Hansard], Commons, 04.02.03, col.
177). Mr Kaufman had been a member of the Royal Commission, which did not propose
either 25% or 75% elected. No other Commons speaker took up the point.

\(^2\) “where it is sought to supersede a question, by leaving out words after 'That' and adding
other words, the proposed amendment should not be confined to a mere negation of the terms
of the motion, as the proper method of expressing a contrary opinion is by voting against a
motion without seeking to amend it” ([Erskine May, 1997, p343])
vote against all the composition options can be rationalized along the lines "We
don’t want an Upper House, therefore we oppose an Upper House with any of
the compositions proposed". A further ten Members, five Conservative and five
Labour, voted against all the composition options but did not support abolition.
We have not traced any statement from any of the latter ten in favour of
a composition option that was not put to the House. They must therefore have
been behaving according to Hypothesis 4, Hypothesis 5, or both.

The most popular composition option (80% elected) was defeated by only three
votes. If the None-of-the-above Abolitionists had abstained or voted for it, it
would have been carried. If they had voted for the 100% elected option it, too,
would have been carried.

Hypothesis 2 is therefore partly supported.

**Hypothesis 3** *No individual MP voted in a prima facie illogical way, but the
aggregation of votes led to a collectively illogical result.*

An important stability condition is known as single-peakedness (Black 1958).
If opinion is single peaked, then paradoxes of voting (cycles) cannot occur. It
might seem natural to regard abolition of the upper house as the most ‘extreme’
option in one direction and a fully elected upper house as the most ‘extreme’ in
the other. In fact, however, the ‘intermediate’ options of 20%, 40%, and 50%
elected were the least popular. However, ‘extreme’ and ‘intermediate’ in the
previous paragraph are imposed conceptions. It is possible that MPs themselves
voted according to an ideology, or collection of ideologies, which did not regard
an upper house with a relatively small elected component as an intermediate
option, but rather as an extreme one.

To determine whether individual voting patterns are truly single-peaked re-
quires complex data analysis, to which we will return in a later paper. A first
test, however, is to look directly for cycles. If there is a voting cycle, there
cannot be single-peakedness. (The converse is not true: i.e., single-peakedness
may fail without there being a voting cycle).

**Hypothesis 3.1** *There was a majority-rule cycle.*

A top cycle is a situation in which some option $A$ defeats $B$ by a majority,$B$ defeats $C$ by a (different) majority; and $C$ defeats $A$ by an (again different)
majority, while $A$, $B$, and $C$ all beat every other option. Such a possibility
could lurk behind the aggregate totals presented in Table 1. Only analysis of
the individual voting patterns can confirm or exclude it.

The way to test for cycles is by exhaustive pairwise comparison. MPs’ revealed
preferences on each pair of the eight options are aggregated to see whether a cy-

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are directly asked to rank eight options. It is more complex in the present case, where they were offered 'binary' choices — Aye or No — on each of eight options.

The choices were really ternary, not binary. An MP could abstain, and some did. There are 659 MPs in total. Of these, 64 took no part at all in the series of votes. These 64 include the Speaker and three deputies, who never vote, and all the Northern Irish nationalist members. Of the remainder, some 64 percent are Labour MPs (with 20 percent Conservatives and 3 percent Liberal Democrats). Excluding the officers of the House and the NI nationalists, party label has no effect on the decision to abstain from all votes.

After checking for other patterns, with negative results, we deleted the 64 abstainers from our dataset. The remaining 595 comprise all those who cast at least one vote. The votes took place in rapid succession, beginning at 5.00 pm and finishing at 6.03 pm on February 4 2003. No MP died during the course of the voting, nor have we heard that any was suddenly taken ill. So we treat all abstentions within our remaining set of 595 Members as voluntary, and we have coded them as intermediate between an Aye and a No vote.

From the division lists the revealed preferences of each MP over each pair of options can then be calculated. If s/he ranked one above the other in any of the three possible ways (Aye/No; Aye/abstain; abstain/No), s/he is coded as preferring the first to the second. If s/he ranked the two at the same level of preference in any of the three possible ways (Aye/Aye; abstain/abstain; No/No), s/he is coded as indifferent between them. There are eight options, and hence \( \frac{n(n - 1)}{2} = 28 \) pairs to consider.

The simplest way to set out these pairwise preferences is in a Dodgson matrix (Table 2). The first to propose such a matrix representation was C.L. Dodgson [6], better known as Lewis Carroll, although we have adapted and expanded his notation.

Each of the eight rows, and the first eight columns, of Table 2 represents one of the options. Each cell in that area therefore gives the number of MPs who preferred the option in its row to the option in its column. Some cells contain fractional numbers because the number of MPs taking part was odd and indifference is coded as 0.5 for each of the options. The cells which compare an option with itself, down the principal diagonal, are blank.

Therefore, the 56 \( (28 \times 2) \) non-empty cells may be read as follows, starting with the first row. A total of 258 MPs ranked abolition of the Lords above a continuing Lords with zero elected members. The diagonally opposite cell across the principal diagonal shows that 337 MPs preferred a continuing Lords with zero elected members to abolition of the Lords. Recall that these totals include MPs who ranked the two options at the same level, coded as 0.5 for each. Therefore each pair of diagonally opposite cells adds up to 595.
Table 2: Dodgson Matrix for Commons votes on future of House of Lords, Feb, 2003 (including indifferences) Source: Commons division lists 04.03.03

<table>
<thead>
<tr>
<th></th>
<th>Abol.</th>
<th>Zero</th>
<th>20%</th>
<th>40%</th>
<th>50%</th>
<th>60%</th>
<th>80%</th>
<th>All</th>
<th>Borda Score</th>
<th>Copeland Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abolition</td>
<td>258</td>
<td>399</td>
<td>399</td>
<td>399</td>
<td>257.5</td>
<td>257.5</td>
<td>243.5</td>
<td>243.5</td>
<td>2199.5</td>
<td>3</td>
</tr>
<tr>
<td>Zero elected</td>
<td>337</td>
<td>432.5</td>
<td>432.5</td>
<td>432.5</td>
<td>295.5</td>
<td>295.5</td>
<td>280.5</td>
<td>280.5</td>
<td>2490.5</td>
<td>4</td>
</tr>
<tr>
<td>20% elected</td>
<td>196</td>
<td>162.5</td>
<td>297.5</td>
<td>297.5</td>
<td>159</td>
<td>143</td>
<td>145.5</td>
<td>145.5</td>
<td>1401</td>
<td>1</td>
</tr>
<tr>
<td>40% elected</td>
<td>196</td>
<td>162.5</td>
<td>297.5</td>
<td>297.5</td>
<td>159</td>
<td>143</td>
<td>145.5</td>
<td>145.5</td>
<td>1401</td>
<td>1</td>
</tr>
<tr>
<td>50% elected</td>
<td>196</td>
<td>162.5</td>
<td>297.5</td>
<td>297.5</td>
<td>159</td>
<td>143</td>
<td>145.5</td>
<td>145.5</td>
<td>1401</td>
<td>1</td>
</tr>
<tr>
<td>60% elected</td>
<td>337.5</td>
<td>290.5</td>
<td>436</td>
<td>436</td>
<td>281.5</td>
<td>281.5</td>
<td>2512.5</td>
<td></td>
<td>2512.5</td>
<td>5</td>
</tr>
<tr>
<td>80% elected</td>
<td>351.5</td>
<td>314.5</td>
<td>452</td>
<td>452</td>
<td>313.5</td>
<td>313.5</td>
<td>2640.5</td>
<td></td>
<td>2640.5</td>
<td>7</td>
</tr>
<tr>
<td>All Elected</td>
<td>351.5</td>
<td>315</td>
<td>449.5</td>
<td>449.5</td>
<td>449.5</td>
<td>309</td>
<td>290</td>
<td></td>
<td>2614</td>
<td>6</td>
</tr>
</tbody>
</table>

What about the three options that were rejected without a vote? By construction, all MPs were indifferent among the three, and therefore each cell comparing one with another scores \((595/2) = 297.5\). Their remaining row entries are not zero because in each of those cells, MPs who voted against the option in the column in question are scored as indifferent between that option and each of the three unanimously rejected options. The unanimously rejected options therefore score 0.5 for each MP who voted against one of the other five.

There are two ways of summarizing the information in these 56 cells, and the two rightmost columns of Table 2 represent them. The column headed ‘Borda score’ gives the Borda count of each option. The Borda count measures the average standing of each option. It is the voting system used in the Eurovision Song Contest and in baseball halls of fame. Each voter gives \(n - 1\) (here 7) points to his or her favourite option, \(n - 2\) to the next-most liked, and so on down to zero for the least liked. Voters indifferent between two or more options give them each the average of the point scores in their range. As Jean-Charles de Borda noticed in his original paper of 1781 (translated in McLean and Urken, pp. 83-9 [10]), the Borda score for each candidate computed in this way is identical to the number of other candidates whom that candidate beats. This identity is extremely important. It means that the Borda count for each option is simply the horizontal sum of the votes for it against each other option.

The column headed ‘Copeland score’ records the number of contests that each option wins, with ties counted at \(\frac{1}{2}\). The Copeland score is calculated from the
square matrix to its left by comparing each cell entry with its diagonal opposite. If a cell is greater than its diagonal opposite, it scores 1; if smaller, it scores 0; if identical, it scores \( \frac{1}{2} \). Again, the scores are summed horizontally to yield a Copeland score for each option.

These two columns show that there are no cycles in the data, except a cycle of indifference among the three unanimously rejected options. An option with a Copeland score of \( n - 1 \) is the unique Condorcet winner. A Condorcet winner is an option which beats each of the others in exhaustive pairwise comparison. Therefore the option of an 80% elected House of Lords, with its Copeland score of 7, is the Condorcet winner out of the eight propositions voted on. The Condorcet ranking and the Borda ranking do not always coincide, but in this case they do. Unambiguously therefore, the ranking revealed by the individual preferences is the same as that shown in the aggregate votes. In descending order, that is:

- [Status quo]
- Elect 80%
- Elect all
- Elect 60%
- Elect zero
- Abolition

(Elect 20%, elect 40% and elect 50%) - tie for last place

We can reject Hypothesis 3.1. The illogical outcome is not the product of a voting cycle. But we are not out of the woods of paradox. Each of the eight reform options was rejected in a contest against the status quo. Hence, if the set of options is expanded to include the status quo, it sits on top of all eight other options as the unique Condorcet winner. But the status quo is conceptually indistinguishable from the fourth most popular option (elect zero), which lost to each of three other options in pairwise comparisons.

If the Commons had instead used Alternative Vote, this paradox would not have arisen. Assuming that Members would have ranked the options consistently with the preferences revealed in the pairwise votes, then AV would have yielded the same outcome as the Borda and Copeland rankings. In succession, the options 20% elected, 40% elected, 50% elected, unicameralism, zero elected, and 60% elected would have been eliminated, and in the final run-off 80% elected would have defeated 100% elected.

However we have to be cautious. MPs would have behaved differently under AV. The 20%, 40%, and 50% elected options would not have received zero support. And those MPs who were determined to defeat a predominantly elected house would have had an incentive to push the non- or minimally-elected options up their rankings. This is the strategy of voting against ‘the most dangerous rival’ of one’s top preference, and it is a well-known plan of action in either AV
or Borda count elections. The 303-signature EDM in favour of a ‘wholly or substantially’ elected house signalled that 60%, 80%, and 100%, were the most dangerous rivals for MPs opposed to substantial change. ‘My scheme is only intended for honest men’ said Borda when he realized that his system was being manipulated in this way.

**Hypothesis 4** Groups of MPs were unable to coordinate their votes.

**Hypothesis 5** Groups of MPs voted against options they favoured in order to promote options they favoured even more.

Members may have voted in unexpected ways either because they could not say which of two options they preferred, or because they were voting to defeat an earlier option in order to improve the chances of a later one. From the division lists, we cannot tell which might be true, therefore we treat these two hypotheses together.

MPs voted under conditions of imperfect information, as raised at the start of the debate by the veteran Conservative Sir Patrick Cormack:

> On a point of order, Mr. Speaker. As one who is very glad that you have selected that amendment [viz. abolition], I wonder whether you could possibly help those of us who are in a slightly difficult position. If the motion that I favour is not approved, I would rather vote for a unicameral House. Having talked to hon. Members in all parts of the House, I believe that a number of them share the view that, if their own particular preference is not selected, they would rather go unicameral. Would it be possible, therefore, to have that vote at the end of the proceedings, rather than the beginning?

Mr. Speaker: That option is at the beginning, not the end. (*Hansard*, Commons, 04.02.03, col. 152[7])

Given the probable multidimensionality of opinion, the problem was an unavoidable one. The Speaker could not have put the abolition resolution at the end of proceedings. It was an amendment, which by parliamentary rules must be dealt with before the motion it amends. Furthermore, if he had taken the abolition vote last, he would have solved Sir Patrick’s dilemma but would have created one for other groups of Members.

Both the analysis so far and the speeches of many MPs in the debate confirm that opinion was multidimensional, or at least that it did not lie along the obvious quantitative dimension. In parliamentary procedure, each motion is compared, not with the other options, but with the status quo. Whatever motion is taken first, some Members’ preferences will inevitably depend on the outcome of votes not yet taken. Introducing the abolitionist amendment, George Howarth (Lab.) denied that it was a ‘cynical spoiling tactic’ and highlighted the multidimensionality of the issue:
I can, however, give some information about my hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle) and me. His first preference is for abolition, but failing that, he favours a wholly elected second Chamber. Similarly, I favour abolition, but because of the problems posed by a rival Chamber, which my right hon. Friend the Prime Minister referred to last week, and because of the inevitable inconsistencies of a hybrid Chamber, my second preference is for an appointed Chamber or for the interesting and novel suggestion of an indirectly elected second Chamber. I suspect that each of my hon. Friends who supports abolition has individual reasons for doing so and for adhering to whatever second preferences they may have. (Hansard, Commons, 04.02.03, col. 167).

Another group uncertain how to vote were those MPs who professed to prefer an indirectly elected upper house to either one that was directly elected or one that was appointed. Robin Cook, Leader of the House, attempted to give a clear steer for those Members:

If colleagues wish to have an indirectly elected Chamber or a partly indirectly elected Chamber, they are opting for an elected Chamber and should vote tonight for one of the elected options. If they vote for an appointed Chamber, they will be ruling out elections, whether direct or indirect (Hansard, Commons, 04.02.03, col. 153).

The Minister closing the debate, Ben Bradshaw, repeated this advice (Hansard [7], Commons, Col. 220). However, an MP has claimed that “it was put about on the day that those wanting indirect election should vote for an ALL APPOINTED Lords” (interview, MP (Lab)). The signs are that Labour Whips were briefing Labour MPs in a way that contradicted the Leader of the house’s recommendation. Thirteen out of the 15 Government Whips voted in a bloc in favour of a zero-elected house and against all three elected proportion.

The Labour Members who stated, either in public or in private, that they wanted an indirectly elected Lords and were stymied because it was not on the agenda may have simply wished a fig-leaf to cover their abandoning of their party’s manifesto commitment to a more representative and democratic upper house. Or they may have faced a genuine dilemma analogous to Sir Patrick Cormack’s.

Another group facing a severe dilemma were MPs who favoured one of the elected options but not all three equally. A majority of those who voted favoured at least one of the three elected options. If they could have co-ordinated their preferences on any one of them, it would have been carried. But as the votes were taken in sequence, it was not known until near the end that ’80% elected’ had been defeated. By then it may have been too late for those MPs - scattered across parties as they were - to coordinate their votes on ’60% elected’, the only elected option remaining.
The difference between myopic voting and strategic voting is as follows. With myopic voting, an MP wishes to vote for the more preferred option in each binary vote; but, because the outcome of later votes is unknown, s/he cannot say for sure which option s/he truly prefers in an earlier vote. With strategic voting, an MP does not vote for the more preferred option in some binary vote, in order to protect a yet more favoured option. Consider a Conservative Member whose favourite option was ‘80% elected’, the position of the party front bench, and who preferred an all-elected to an all-appointed house. The vote on ‘all elected’ came before the vote on ‘80% elected’. Although such a Member preferred ‘all elected’ to the status quo, s/he might nevertheless rationally vote against ‘all elected’ in the hope of concentrating the ‘democratic’ vote on the 80% elected option. If so, it was a strategic move that failed.

Of particular interest, therefore, is the group of 45 Members who voted against 60% elected, having earlier voted in favour of 80% elected, which by this point had been defeated. These 45 comprised: 30 Conservatives including Iain Duncan-Smith and Eric Forth (Shadow Leader of the House); all four Plaid Cymru members; eight Labour; and three Liberal Democrats. On the face of it, their behaviour seems odd. Not one of them had supported the ‘zero elected’ option; 44 had voted against it, and one had abstained. But their votes reveal that they prefer an 80% elected chamber to the status quo, and preferred the zero-elected status quo to a 60% elected chamber. They knew that 60% elected was the last elected option remaining in the field. Either they were voting strategically, or their preference profile had an unusual shape.

Therefore Hypotheses 4 and 5 are supported. Coordination difficulties and inherent problems of multidimensionality made it very difficult for several groups of Members to decide how to vote in the sequence of votes.

**Hypothesis 6 Groups of MPs made mistakes**

A mistake is not the same as a coordination problem. In the previous section, we discussed MPs’ votes where they were uncertain how to achieve the effect
they wanted to. But some MPs may simply have voted in the wrong lobby. A group of four ‘Democrats’ (see below) returned to the Chamber after the defeat of the wholly-elected option. Expecting the next division to be on the 20%-elected option, as the pre-announced sequence had determined, they went into the No lobby when the division was called. However, 20% elected had been defeated without a vote, and they were thus voting against 80% elected, which they actually supported. But for this mistake, the 80% elected option would have been carried by 287 votes to 282.

3 An Analysis of the Main Voting Blocks

This section analyses the main voting blocs of MPs by their party composition and status in the House. As there were five divisions, and three positions are possible on any division, there are \(3^5 = 243\) possible groups. With a total of 659 MPs, of whom 595 cast at least one vote, we must expect many of the possible combinations to comprise small numbers of MPs. If all combinations were equally probable, each voting combination would on average attract 2.46 MPs. Luckily, most (though not all) MPs who voted can be classed into quite a small number of the 243 possible voting groups and clusters of groups. We first label the main groups, whose relationship is summarized in the Venn diagram (Figure 1). A summary description of the groups is in Table 3.

The DNV (Did not Vote) group comprises 64 MPs. As already noted, they include all the officers of the House and all the Northern Ireland nationalist Members. After excluding those groups, the remainder are not significantly different from the House as a whole by gender, party, age, time in the House, or frontbench status.

**Abolitionists** are the 174 Members who voted in favour of abolishing the Lords. Just over ninety percent of them were from the Labour party: thus being Labour is a highly significant predictor for this group. On later votes, these government MPs split almost evenly on an all appointed house (majority in favour), but majority rejected the 60 percent, 80 percent and all elected options.

**Democrats** are a large group that includes all those MPs who (1) did not vote in favour of an all appointed Lords and (2) voted for at least one out of 60%, 80%, and 100% elected. They number 319, i.e., an absolute majority of those present and voting\(^3\). If all Democrats had supported any one of the three elected options, it would have been carried.

A subset of Democrats comprises those whose voting pattern was identical to that of the Leader of the House, Robin Cook, and the Liberal Democrat leader, if the four ‘Democrats’ who mistakenly voted against 80% elected are added, this number rises to 323.
Figure 1: Venn Diagram Showing Voting Groups
<table>
<thead>
<tr>
<th>Group</th>
<th>Number</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Democrats</td>
<td>319</td>
<td>MPs who did not support all-appointed and who supported at least one of 60%, 80% and 100% elected</td>
</tr>
<tr>
<td><em>Cook-Kennedy-ites</em></td>
<td>134</td>
<td><em>Democrats with the same vote profile as Robin Cook (Lab.- Leader of the House) and Charles Kennedy (Lib Dem)</em></td>
</tr>
<tr>
<td><em>Strong IDS-ites</em></td>
<td>5</td>
<td><em>Democrats with the same vote profile as I. Duncan Smith (Cons.)</em></td>
</tr>
<tr>
<td>Weak Blairites</td>
<td>232</td>
<td>MPs who supported all-appointed and who did not support any of 60%, 80% and 100% elected: profiles which did not contradict Prime Minister’s.</td>
</tr>
<tr>
<td><em>Strong Blairites</em></td>
<td>2</td>
<td><em>Weak Blairites with the same vote profile as Tony Blair (Lab.)</em></td>
</tr>
<tr>
<td>Abolitionists</td>
<td>174</td>
<td>MPs who voted for abolition of upper house. 90% Labour.</td>
</tr>
<tr>
<td>Twinpeaks</td>
<td>13</td>
<td>MPs who supported all-appointed and all-elected Lords and opposed intermediate options.</td>
</tr>
<tr>
<td>None of the Above</td>
<td>20</td>
<td>MPs who opposed all seven composition options</td>
</tr>
<tr>
<td><em>None-of-the-Above Abolitionists</em></td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>DNVs</td>
<td>64</td>
<td>MPs who [D]id [N]ot [V]ote in divisions</td>
</tr>
</tbody>
</table>

Table 3: **Summary Description of MP Groups.** Source: Commons division lists 04.02.03. Groups in *italics* are proper subsets of- that is, wholly contained in- the non-italic group above. See the Venn diagram representation (Figure 1)
Charles Kennedy. This pattern was to reject abolition, to reject an all appointed house and vote in favour of the three composite elected options. This was the largest single group out of the 243 possible groups, numbering 134.

Another subset of the Democrats are the Welsh Nationalists (4 Plaid Cymru MPs) and the Scottish Nationalists (5 SNP members). Both these nationalist groupings voted to abolish the Lords.

A third subset, **IDS-ites**, are those who did not contradict the voting pattern of Iain Duncan Smith, the Conservative leader. A strong IDS-ite mimicked Duncan-Smith’s voting pattern exactly (viz., against abolition, against zero elected, against 60% elected, for 80% elected, and abstained on 100% elected). There were four strong IDS-ites, all shadow cabinet members: namely Michael Ancram, Bill Cash, Bernard Jenkin and Andrew Robathan. A weak IDS-ite did not contradict Duncan-Smith’s voting pattern, where ‘contradict’ means ‘vote against when the other votes in favour or votes in favour where the other votes against’.

**Weak Blairites** Weak Blairites comprise those whose voting pattern was consistent with that of the Prime Minister, who voted for an all-appointed House and abstained on all the other divisions. An MP is defined as a weak Blairite if his/her voting pattern does not contradict the Prime Minister’s. They numbered 232, of whom 168 (72%) were Labour. A strong Blairite exactly mimicked the Prime Minister’s voting pattern. There was in fact only one other strong Blairite in the House, viz., the Rt Hon Helen Liddell (Lab.). This grouping of 2 is less than 2.46, and is therefore smaller than would have occurred by chance.

**Twinpeaks** or “anti-hybrids” describe those MPs who voted in favour of an all appointed house, in favour of an all elected house, and against any composition option in between. There were thirteen MPs in this group, five of whom, as noted above, were DUP members, one was a Conservative and the others Labour. All these individuals, in fact, voted to reject the ‘hybrid’ elected and appointed options. The Twinpeaks’ preferences contributed to the unusual shape of the overall outcome. If we include those who voted for at least one of all-elected and all-appointed but rejected the hybrid options, this group rises to 27 (19 Labour, three Conservative, and five DUP).

The **None of the Above** grouping has already been described. They numbered 20, ten of whom voted for abolition and therefore arguably had a better excuse for voting against all the composition options than the other ten.

What background factors led an MP to be in one or other of these main groups? Table 4 compares the party make-up of the 595 MPs who cast a vote with the

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4For the avoidance of office: ‘weak’ is here used in its social choice sense of ‘not contradicting’ and ‘strong’ in its social choice sense of ‘exactly corresponding to’. 

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Table 4: Relative Party Composition of the Three Main Subgroups

<table>
<thead>
<tr>
<th>Party</th>
<th>All voting MPs %</th>
<th>Democrats %</th>
<th>Cook–Kennedy-ites %</th>
<th>Weak Blairite %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labour</td>
<td>63.2</td>
<td>55.8</td>
<td>52.2</td>
<td>72.4</td>
</tr>
<tr>
<td>Conservatives</td>
<td>24.4</td>
<td>25.4</td>
<td>20.9</td>
<td>24.1</td>
</tr>
<tr>
<td>Liberal Democrats</td>
<td>8.9</td>
<td>15.4</td>
<td>26.1</td>
<td>1.3</td>
</tr>
<tr>
<td>Others</td>
<td>3.5</td>
<td>3.4</td>
<td>0.8</td>
<td>2.2</td>
</tr>
<tr>
<td><strong>n</strong></td>
<td><strong>595</strong></td>
<td><strong>319</strong></td>
<td><strong>134</strong></td>
<td><strong>232</strong></td>
</tr>
</tbody>
</table>

party make-up of each of our three big groups: weak Blairites, Democrats, and Cook-Kennedyites.

Table 4 shows that Conservative members are represented in each of the three big groups at about the same proportion as they are in the house as a whole. The case is quite different with both Labour and the Liberal Democrats. Labour members are less likely to be Democrats or Cook-Kennedyites, and more likely to be weak Blairites, than would be predicted from their strength in the House. Liberal Democrat members are much more likely to be Democrats or Cook-Kennedyites, and much less likely to be weak Blairites, than would be predicted from their strength in the House.

4 Conclusion

How then did the Commons come to vote against all eight options put up to it, leading itself into the contradiction of voting for the status quo by voting against the status quo? And what predisposed groups of Members to join the various groups?

Those we have labeled the “Democrats” comprised more than half of those voting. They all voted for at least one of the elected options and against an all-appointed house. The biggest single group are the Cook-Kennedy clones: those MPs who exactly shared the vote profile of the Leader of the House Robin Cook and Liberal Democrat leader Charles Kennedy. This group of 134 Members supported 60%, 80%, and 100% elected. They are therefore the group closest to the Labour Party manifesto and the Public Administration Committee report, although they are disproportionately a non-Labour group of Members. The Cook-Kennedy clones are a much larger group than another subset of the Democrats, the Duncan Smith clones, who numbered 5.

If the Democrats had all voted like Cook-Kennedy clones, the House would
have voted for a more representative and democratic Upper House. Their internal divisions meant that groups of non-Democrats helped to produce the outcome. The largest group of non-Democrats are the Weak Blairites, those whose voting pattern did not contradict the Prime Minister’s. Most of these were Labour Members. Other groups contributing to the outcome are the ten None-of-the-above Abolitionists and the four would-be Democrats who voted by mistake against 80% elected. If either of these groups had voted differently, then at least one elected option would have been carried.

Likewise, the Prime Minister’s and Lord Chancellor’s sudden discovery, which they had not yet made in their earlier White Papers or in the Labour manifesto, that a hybrid upper house was intolerable may prove to have been a great agenda-shaping moment. Although the Twinpeaks group was small, the Weak Blairite group, who supported an all-appointed house but did not support any elected component, was much larger.

We have excluded two a priori possible explanations of the paradox that the House voted for the status quo by voting against the status quo. It did not arise because some magic point should have been proposed but was not. Nor did it arise because of anything paradoxical in the aggregation of individual votes to a group judgment. Specifically, voting was not cyclical; and the pairwise ordering of the outcomes is well-behaved using either of the two criteria (Condorcet and Borda) for a well-behaved ranking function.

Table 4 and Fig. 1 show that most parties varied systematically. Most of the minor parties voted en bloc. The Irish nationalists kept out altogether. The DUP voted en bloc for the Twin Peaks profile. Four of the five Ulster Unionists were weak Blairites. The Scottish and Welsh Nationalists were all Democrats and all Abolitionists. The Conservatives split into Weak Blairites and Democrats in the same proportion as the house as a whole. Labour members were more likely than average to be weak Blairites, and less likely to be Democrats. Liberal Democrats were much more likely than average to be Democrats, and much less likely than average to be weak Blairites. Of the three big parties, it is the one whose leader said in the John Smith Memorial Lecture in February 1996, ‘We have always favoured an elected second chamber’ whose MPs were least likely to vote for any elected element in the second chamber.

After 92 years, the preamble of the 1911 Parliament Act remains unfulfilled. Substitution cannot be immediately brought into operation.

References


