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Comparing Upper Chambers Across the World

Paper Five: Experiences of Reform

Introduction

This is the fifth in a series of papers that explore and compare upper chambers across the world with the British House of Lords. By describing and analysing the variety of experiences that different countries have had with their upper houses, lessons can be learned. This topic has gained increased salience with the election of the Labour government in 2024, which has promised various reforms of the House of Lords in its election manifesto. This series of papers will provide information about upper houses in different countries to inform the debate over future reform of the Lords.

This paper will explore the experiences of upper chamber reform that different countries have had. It will look at several examples of both successful and unsuccessful attempts at reform across the world, and it will also consider why upper houses are so notoriously difficult to reform in the first place. Looking at the evidence, from this country and others, gradual, internal changes have had success but big constitutional changes often fail. Building on the previous papers in this series Canada and Australia will be the main cases for comparison, although other countries, such as Italy and Ireland, will also be considered. A revised document containing all five papers complete with minor revisions and corrections will be published to conclude this series.

1. Experiences of Upper Chamber Reform

1.1 Previous papers in this series have discussed the ways in which upper chambers vary immensely across the world. There is variety in whether countries even have upper chambers to reform and then there is great variety in the upper chambers themselves. Upper chambers may be designed with different logics of composition, seeking to represent the elite, national territories or various vocational sectors of society.[1] Correspondingly upper chambers select their members in different ways, often in line with their compositional logic. They may be directly elected, indirectly elected, appointed, or feature a combination of methods of selection, with no one method being an overwhelming favourite around the globe.[2]

1.2 The design of upper chambers has an impact on the roles, powers and functions that they have, and in turn, these factors combined determine upper chamber strength. Whilst it is difficult to measure the strength of upper chambers, given the issues with measuring power in general, and given the many combinations of features that second chambers may possess, basic distinctions can be made.[3] There are upper chambers which are co-equal with their lower house, sharing a similar set of powers, and there are upper chambers which are much weaker than the lower house and in

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[1] Meg Russell, *The Contemporary House of Lords: Westminster Bicameralism Revived*. (Oxford: Oxford University Press, 2013), 42-46.

[2] Petr Svoren, *Comparing Upper Chambers Across the World: Composition and Selection*, Research Paper, Office of the Convenor of Crossbench Peers. (London: House of Lords, 2025): 9.

[3] Meg Russell, "Elected Second Chambers and Their Powers: An International Survey," *The Political Quarterly* 83, no. 1 (2012): 121.

effect subordinate to it.[4] In between these two categories are chambers that are nearly co-equal but with some exceptions making them weaker, and other generally weaker chambers which may have special powers unique only to the upper house, giving them a medium level of importance.[5]

1.3 The multitude of upper chamber designs and the variety in the part they play in a country's political system means that there has been a wide range of experiences when it comes to reform of the upper house. The powers of the existing second chamber are a key factor in how difficult reform is, as is the constitution of the country. The lower house and executive also play a role in making upper house reform difficult, and they are unlikely to agree to have their powers reduced. Historical context can also play a role in determining the barriers to reform. Some countries may have had big reforms at pivotal moments in their nation's history. Revolution, military coup or civil war are just some of the reasons why a country may go from a unicameral system to a bicameral one (or more likely, vice versa).[6]

1.4 Such reforms, if you can call them that, are counterintuitively perhaps easier to undertake than reforms in stable, long-established democracies. If the political status-quo has already been fundamentally changed once then abolishing a senate, or altering the electoral system for the second chamber does not seem like a monumental change. However, the historical experiences of upper chamber reform show that making such a change, or even a less drastic one is very difficult. Whilst there has been successful reform to upper chambers around the world, the story is also littered with failures, especially that of large-scale reforms. On the other hand, smaller, more incremental reforms have had some success, both in Britain and in some of the other democracies around the world. This paper will begin by explaining some of the reasons why reform is so difficult and will then consider several cases, including that of Canada, Italy and Ireland.

2. The Difficulties of Upper Chamber Reform

2.1 It has been noted by scholars that upper chambers are notoriously difficult to reform.[7] There are three main reasons why the reforming upper chambers is so difficult. By laying these out, and providing real-life experiences of reform, it is possible to draw conclusions about the potential future reform of the House of Lords.

Formal Barriers

2.2 Perhaps the most important reason why upper chamber reform is so difficult is because of the formal barriers in place in many political systems.[8] Reforming the upper house often requires changing the constitution and this is designed to be difficult through the use of safeguards such as referendums or by requiring legislative supermajorities. In Canada, constitutional amendments require the approval of provincial legislatures which have diverging interests and views. In Australia and Ireland constitutional reform would require approval by popular referendum.[9] In the case of Spain, a supermajority is required to reform the 1978 constitution.[10]

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[4] Samuel C. Patterson and Anthony Mughan, "Fundamentals of Institutional Design: The Functions and Powers of Parliamentary Second Chambers," *Journal of Legislative Studies* 7, no. 1 (2001): 42.
[5] Patterson and Mughan, "Fundamentals of Institutional Design," 42
[6] Louis Massicotte, "Legislative Unicameralism: A Global Survey and a Few Case Studies," *Journal of Legislative Studies* 7, no. 1 (2001): 152.
[7] Meg Russell and Mark Sandford, "Why are Second Chambers So Difficult to Reform?," *Journal of Legislative Studies* 8, no. 3 (2002): 79.
[8] Meg Russell and Mark Sandford, "Second Chambers," 83.
[9] Meg Russell and Mark Sandford, "Second Chambers," 83.
[10] Jean-Baptiste Harguindéguy, Xavier Coller, and Alistair Cole, "Why is the Spanish Upper Chamber So Difficult to Reform?," *Parliamentary Affairs* 70, no. 3 (2017): 530-547.

2.3 Constitutional rigidity is a real barrier to comprehensive reform to the upper house. Even if change is agreed upon, widespread support, from the public (in the form of referendums), the regions (in the form of territorial requirements either in referendums or in state legislatures) and ruling elites (in the form of parliamentary supermajorities) is required and these obstacles are often too onerous. One obstacle alone may be hard enough to overcome in this time of increased political partisanship and fragmentation; some countries have a combination of formal barriers making constitutional change nigh on impossible. This may be by design, to prevent the government diminishing democracy and stacking the deck in their favour. Yet, the downside of this is that necessary change is too difficult to enact and politics is stuck in a sub-par status quo.

2.4 In the case of the House of Lords, formal constitutional barriers are not an issue – because of the United Kingdom's uncodified constitution Lords reform would be treated like any other piece of legislation.[11] There is a tendency for some constitutional issues (such as devolution) in the United Kingdom being resolved through referendums but this would not apply to Lords reform given that it is likely not seen as important enough to warrant a referendum; unlike Scottish independence or changing the electoral system, a referendum on Lords reform has never been a topic of discussion, and is unlikely to be in the future given a general move away from referendums in British politics.

2.5 The other advantage of an uncodified constitution is that Lords reform does not need to be part of a wider package of constitutional reform.[12] The more comprehensive the constitutional changes the more likely they are to find opponents. Lords reform can be presented as a self-contained issue and can even be split up into several discrete reforms to increase the chance of success.

Vested Interests

2.6 Aside from some of the formal constitutional constraints, vested interests are a perennial thorn in the side of upper house reform movements. Any constitutional reform means that there will be a shift in the balance of power and there are political actors that will lose out from that shift. These actors therefore have a vested interest in stopping reform, and, they have many options to do this given the legal constraints on constitutional change. Upper house reform could reduce the power of members of the upper house and increase the power of the lower house (or vice versa), altering the dynamic between the two houses. The executive could similarly be either empowered or diminished by reforms to the upper house and so their attitude to reform will be highly dependent on its effects on their power.[13] In Australia, where the Senate is rather powerful, reforms are typically called for by the executive, in order to reduce that power; in countries with weaker upper houses, the dynamic is the opposite, yet the undercurrent of self-interest remains.

2.7 The political class as a whole tends to benefit from the existence of an upper house and that means that they are often supportive of the status quo. In some countries, especially those with selection by appointment, upper houses are a place for politicians at the end of their careers, or a form of reward for those that have loyally supported a political party, be it through long service or large donations. This charge is often raised against the House of Lords and the Canadian Senate, yet it exists in other systems too. The Spanish Senate, which is composed via a combination of direct and indirect election, is seen as a feeder of public funds for the party machines of Spain's major parties, as well as an 'elephant's graveyard' for retiring politicians.[14] So not only do the members of upper houses themselves oppose reform, much of the political class opposes it as well, since political parties tend towards risk aversion.

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[11] Meg Russell and Mark Sandford, "Second Chambers," 83.
[12] Meg Russell and Mark Sandford, "Second Chambers," 83.
[13] Jonathan Lemco, "Studies of Canadian Politics: Senate Reform: A Fruitless Endeavour," *Journal of Commonwealth & Comparative Politics* 24, no. 3 (1986): 277.
[14] Harguindéguy, Coller, and Cole, "Spanish Upper Chamber," 539-540.

2.8 In the case of the House of Lords, vested interests play an undoubtedly powerful role in preventing reform. Peers have powers that can slow down legislation and cause problems for the government. During the 1999 Lords reforms the government accepted an amendment by the Lords that forced them to water down their plans for the expulsion of all hereditary peers. Self-interest surely played some part in this decision by peers.[15] Yet vested interests can perhaps be overcome more easily in the British example than in other cases. The existence of the Salisbury-Addison convention, which states that the Lords should not block a bill that implements the government's manifesto commitments, means that vested interests, in the form of members of the upper house, have less power to impede reforms.[16]Though the boundaries of the convention may not be fully agreed upon, it still has some force, and peers are not keen to break it despite it being in some of their interests to do so.

2.9 An often over-looked vested interest in the British case is the Prime Minister, whose power would be affected by any upper house reform. The 1999 Lords reform, although broadly successful, can also be characterised as self-interested and politically driven, with Prime Minister Tony Blair accusing the Conservative-dominated upper house of being a block on his governing agenda.[17] One reason Blair pushed the 1999 reforms was that he and his party would gain from them. On the other hand, one reason why gradual reforms to the appointments process, such as limits to the numbers of peerages, are opposed is because they would reduce the power of the Prime Minister. Vested interests are a difficult obstacle to overcome and are an especially large barrier to common-sense, gradual and internal reforms, because such reforms rarely result in clear political up-side.

Lack of Consensus/Public Opinion

2.10 The final barrier to upper house reform is the lack of consensus. This lack of consensus comes in two parts. Firstly, on the part of the political decision-makers and then on the part of the public. Jonathan Lemco saw this first issue as the factor which sank attempts at Senate reform in Canada nearly four decades ago.[18] Without significant consensus on reform, no real change is possible, as there is no end goal in sight. Whilst some inchoate desire for reform may exist, nothing is likely to be done if there is no concrete plan or end goal in place. These papers have shown the extreme diversity of upper chambers and from this diversity stems a diversity of potential reforms. The range of potential reforms means that consensus is difficult to achieve – to quote the late Lord Denham, 'If you put four people in a room to discuss House of Lords reform, you end up with five separate solutions.' Even when consensus is achieved, it exists only in part of a political class. The Lords, for example, may be supportive of a reduction in size of the chamber, and in regulations to Prime Ministerial appointments, but no such consensus exists in the government or the Commons.

2.11 Behind the lack of the consensus on reform by political actors lies a lack of consensus in the views of the public. In many cases, the public are just as split on the issue of upper house reform as the political class, and they have contradictory or unclear views on the matter. Yet, even when such views as exist – as in the United Kingdom, for example, where a clear plurality, and sometimes a majority, supports a move towards an elected chamber – low salience prevents reform from taking place.[19] Simply put, upper house reform is never that high up in the list of public priorities compared

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[15] Gary Levy, "Reforming the Upper House: Lessons from Britain," *Constitutional Forum / Forum constitutionnel* 23, no. 1 (2014): 29.

[16] Meg Russell, "House of Lords Reform: Are We Nearly There Yet?" *The Political Quarterly* 80, no. 1 (2009): 123.

[17] Meg Russell, "A Stronger Second Chamber? Assessing the Impact of House of Lords Reform in 1999 and the Lessons for Bicameralism," *Political Studies* 58, no. 5 (2010): 867.

[18] Lemco, "Studies of Canadian Politics," 277.

[19] YouGov, "How Should the House of Lords Be Made Up Of?" *YouGov*, accessed July 13, 2025. https://yougov.co.uk/topics/politics/trackers/how-should-the-house-of-lords-be-made-up-of.

with issues like economics and welfare.[20] Unless those pushing for reform can set out a clear logic and reasoning for the reform; and explain why it matters and what impact it would have, other priorities are likely to take precedence.

3. Case Studies of Reform

3.1 The strength of the calls for reform are different in each case. In some countries, like Ireland, the upper house is seen as too weak or ineffective, so the options are to strengthen and reform the *Seanad* or to get rid of it altogether. In the case of the Italy the problem is the opposite; given that the country operates under 'perfect bicameralism' there is frequent deadlock and not enough distinction between the chambers.[21] In Britain, Canada and Australia, the upper chamber is often accused of not being representative enough. In Canada and Australia, potential reforms focus on improving the territorial roles of the chambers, or the public perception of their work and importance.

New Zealand, Sweden and Denmark

3.2 There are historical examples of major upper chamber reform in three Western democracies; New Zealand, Denmark and Sweden all abolished their upper chamber and switched to a unicameral system.[22] New Zealand's Legislative Council existed for close to a hundred years before being abolished in 1951 after turning into little more than a rubber stamp and house of patronage.[23] The National Party ran on a platform of abolishing the chamber and won the 1949 election, showing that there was clear desire for change. The Prime Minister appointed a so-called 'suicide squad' of new members to the council to ensure that the chamber would vote for its own abolition. This passed, though cleverly, in order to prevent too much opposition Prime Minister Holland did not expressly disavow bicameralism; the door was kept open for a new chamber, but as the Prime Minister had assumed, no consensus could be reached, and New Zealand remained a unicameral system.[24]

3.3 In Sweden, the upper chamber was abolished with similar swiftness. After the Social Democratic party suffered an electoral battering in the 1966 upper chamber election (though they remained in power), they concluded that the unpopularity of the *Första kammaren* was a key reason for this. Agreeing with the right-wing opposition, who accused the chamber of being unfairly supportive of the government, the governing party rushed through its abolition, without much debate.[25] Although the upper chamber cannot be seen as a total failure, and its abolition seems to have sprung from specific political circumstances, there have not been calls for a return to bicameralism.

3.4 Finally, Denmark also transitioned from a bicameral system to a unicameral one. The *Langsting* had similar powers to the lower chamber and was seen by many as redundant. It was not a separate, fully independent chamber with members of the *Landsting* and the *Folketing* holding joint party

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[20] Meg Russell and Mark Sandford, "Second Chambers," 87.

[21] Meg Russell and Mark Sandford, "Second Chambers," 80.

[22] Lawrence D. Longley and David M. Olson, *Two Into One: The Politics and Processes of National Legislative Cameral Change* (Boulder, CO: Longview Press, 1991); Samuel C. Patterson and Anthony Mughan, "Senates and the Theory of Bicameralism," in *Senates: Bicameralism in the Contemporary World*, edited by Samuel C. Patterson and Anthony Mughan (Columbus: Ohio State University Press, 1999), 18.

[23] Geoffrey Palmer, "The Constitutional Significance of the Abolition of the Legislative Council in 1950," *New Zealand Journal of Public and International Law* 15, no. 1 (2017).

[24] Palmer, "Abolition of the Legislative Council," 131.

[25] Joakim Nergelius, "The Rise and Fall of Bicameralism in Sweden, 1866-1970," in *Reforming Senates: Upper Legislative Houses in North Atlantic Small Powers 1800-Present*, edited by Nikolaj Bijleveld, Colin Grittner, David Smith, Wybren Verstegen, (London: Taylor and Francis, 2019), 220.

political meetings.[26] Whilst there were some good reasons for moving to unicameralism, much of the decision was a tactical one. Abolition was part of a wider programme of constitutional reform (including a lowering of the voting age) and the precarious non-socialist government conceded on the point of the upper house to the Social Democrats in order ensure that they remained in power.[27] Calls for reintroducing an upper chamber are few and far between and it does not seem to offer a solution to whatever problems Danish politics may have.

Italy

3.5 Italy's system of 'perfect bicameralism', with a strong Senate that has very similar powers to the lower chamber, has made it a frequent of reform efforts. These efforts have tended to try to weaken the Senate and ensure the dominance of the lower chamber, whilst creating a more federal Senate and nation. Whilst there have been various other milestones on the road to reform, the most significant ones are the three referendums held on the issue in 2006, 2016 and 2020 respectively.

3.6 The 2006 referendum, proposed by a centre-right government, was designed to turn the country into more of a majoritarian democracy and to weaken the Senate. It would abandon the co-equal nature of the lower and upper house, create a more federal nation and increase the power of the Prime Minister.[28] The modifications to the constitution were rejected, with only 39.71% support on a turnout of 52.36%.

3.7 Ten years later, further constitutional reforms were pursued by Prime Minister Matteo Renzi, with similar aims to past proposals. The proposal would eliminate Provinces and re-centralise the country, as well as diminish the powers of the Senate by abolishing symmetric bicameralism and streamlining the legislative process. The Senate would represent regional and local institutions and would be reduced in size.[29] This proposal failed to pass a referendum with 40.9% of the public supporting for the changes.[30] Yet a post-referendum poll showed that 67% of voters voted based on their judgement of the government, with only 33% voting based on the reforms themselves.[31] During the campaign the issue had taken on a partisan salience and had become politicised, with the result being closely tied to the fate of Prime Minister Renzi, who had indicated he would resign if the 'No' side prevailed. In the end, that is exactly what happened and what he did.

3.8 The final referendum on constitutional reform was the only successful one in recent years. In 2020 a referendum was held on government proposals to reduce the size of the Chamber of Deputies and of the Senate.[32] These proposals also included a cap on the number of life senators to five; previously each President appointed five due to the ambiguous wording in the constitution. The referendum passed overwhelmingly with 69.96% of the vote on a turnout of 51.12%. The differing result of the referendums shows some of the dangers of pursuing upper house reform. Constitutional barriers which result in a referendum can prevent reform, especially if the referendum becomes a referendum on the government. Perhaps piecemeal reform, such as in 2020,

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[26] Asbjørn Skjæveland, "Unicameralism in Denmark," in *Reforming Senates: Upper Legislative Houses in North Atlantic Small Powers 1800-Present*, edited by Nikolaj Bijleveld, Colin Grittner, David Smith, Wybren Verstegen, (London: Taylor and Francis, 2019), 229.

[27] Asbjørn Skjæveland, "Unicameralism in Denmark," 229.

[28] Luigi Ceccarini and Fabio Bordignon, "Referendum on Renzi: The 2016 Vote on the Italian Constitutional Revision," *South European Society and Politics* 22, no. 3 (2017): 283.

[29] Ceccarini and Bordignon, "Referendum on Renzi," 285-286.

[30] Martin J. Bull, "Renzi Removed: The 2016 Italian Constitutional Referendum and Its Outcome," *Italian Politics* 32, no. 1 (2017): 143.

[31] Bull, "Renzi Removed," 146.

[32] Matthew E. Bergman and Gianluca Passarelli, "Party and Leadership Effects on Referendum Voting: The Italian 2020 Constitutional Referendum," *Representation* 60, no. 3 (2024): 373-375.

which could not be validly interpreted as a 'power grab' by the government, shows a potential path to success.

Ireland

3.9 Another case study of reform is the failed abolition of the Irish *Seanad*. Long considered a rather weak and ineffective upper house, which despite a formally vocational composition does not provide effective representation or scrutiny, it was surprisingly saved from abolition via referendum.[33] The origins of the referendum are after the 2011 election when the coalition agreement stated that there would be a referendum on parliamentary reform issues including the abolition of the *Seanad*. Abolition was supported by Fine Gael, Labour, Sinn Féin and the Socialist Party. It was opposed by Fianna Fáil and the Green Party who advocated reform and not abolition. Polls during the campaign showed clear leads for the 'Yes' side which supported abolition, though there was a notably large contingent of undecided voters. Despite widespread disillusionment with the political system, amidst the fallout from the great recession, the Irish voted to retain bicameralism by 51.7% on a turnout of 39.17%.[34] The result was a surprise given that opinion polls had predicted the opposite and was a blow to the government.

3.10 The example of Ireland shows some of the difficulties that face upper house reform. Given the Irish constitution any amendments must pass a referendum, highlighting the issue of constitutional rigidity. This provided *Seanad* reform with a big barrier as they would need to have public opinion on their side. Whilst 'Yes' voters were persuaded by potential financial savings and a feeling that bicameralism was not necessary, 'No' supporters were swayed by the argument that the reform was a 'power grab' that would transfer even more power to the executive.[35] Lack of public interest remains one of the biggest barriers to reform, especially if a referendum is involved; if the government cannot make a persuasive case about the necessity of reform at this very moment, then it is likely to fail.

Canada

3.11 Canadian Senate reform has had a long and complicated history. The nature of the Senate as an appointed body, with a territorial role, but no special powers or selection criteria to fulfil that role, has proved controversial. Reform discussion has been a constant in Canadian politics, and reform has been close to succeeding several times. Proposals for wider constitutional changes that would move Canada to a more federal structure have included significant reforms to the functioning of the Senate, yet these have failed. The 1987 Meech Lake accord was not ratified in time and the Charlottetown Accord, another attempt to address constitutional issues failed to pass at a public referendum in 1992.[36] In the 2010s Prime Minister Harper advocated for an elected Senate and proposed consultative elections for Senators and term limits. Yet a unanimous Supreme Court decision in April 2014 stalled this process by ruling that such a process would require a constitutional amendment and approval by at least seven provinces.[37]

3.12 Justin Trudeau picked up the mantle of reform. Attempting to avoid a constitutional amendment, the thing that had made reform so historically difficult, Trudeau instead focussed on the

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[33] Meg Russell, *A Vocational Upper House?: Lessons from Ireland*, (London: Constitution Unit 1999) 3-4.
[34] Muiris MacCarthaigh and Shane Martin, "Bicameralism in the Republic of Ireland: The Seanad Abolition Referendum," *Irish Political Studies* 30, no. 1 (2015): 122.
[35] MacCarthaigh and Martin, "Bicameralism in the Republic of Ireland", 125.
[36] Richard Johnston, "An Inverted Logroll: The Charlottetown Accord and the Referendum," *PS: Political Science & Politics* 26, no. 1 (1993).
[37] Thomas Brown, *Canadian Senate Reform: Recent Developments*, House of Lords Library Note, LLN 2016/046, (London: House of Lords Library, 2016), 1-2, accessed February 20th, 2025, https://researchbriefings.files.parliament.uk/documents/LLN-2016-0046/LLN-2016-0046.pdf.

appointments process. Firstly, while still in opposition, he expelled 32 Senators from the Liberal Party parliamentary caucus, in order to ensure that Senators were non-partisan and had no formal ties to the Liberal Party – many Senators began to caucus as Independents. Once Prime Minister, Trudeau created an Independent Advisory Board for Senate Appointments.[38] Due to this change, a majority of Senators are now Independent, with Trudeau making 100 appointments during his term. This reform can be seen as a success given that the diversity and representation in the Senate has greatly increased; despite this, the Conservative Party opposition have suggested a return to partisan appointments.

3.13The Canadian experience offers several important lessons. It shows the barrier that constitutional rigidity can be as it had thwarted all major reform before Justin Trudeau. Yet the Canadian example shows that seemingly small changes can have a big impact. Improving the appointments process may seem like a cosmetic reform but it can have a significant effect on the membership of the upper house and can be done relatively easily.

4. Conclusion

4.1 This series of papers has detailed the working of upper chambers around the world and compared them to the British House of Lords. Throughout this series, the diverse nature of upper houses has been a constant theme, as has their complex and nuanced role in the political system. This final paper has illustrated some of the difficulties of reforming upper chambers, given these facts. Reform of the Lords is certainly possible, but it should take into account lessons learned from the experiences of other upper houses. Gradual, internal reform can be easier to undertake and have a big impact in the long-run, whilst more significant reform it is trickier to succeed at more significant reform due to all the barriers that exist. Previous papers in this series, along with this final one, will be republished in a single, complete and revised document.

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[38] Thomas Brown, "Canadian Senate Reform: What Has Been Happening?," *UK Parliament*, March 17th, 2020, accessed February 13th, 2025, https://lordslibrary.parliament.uk/canadian-senate-reform-what-has-been-happening/.

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