

Women in the Lords: Viscountess Rhondda Peerage Case

Background

Most hereditary peerages descend the male line, which means that the peerage can only be inherited by a male relative. However, it is possible for a peerage to pass to a woman in certain circumstances: women may inherit a title which is a barony by writ (rather than the more common letters patent); in Scotland most peerages may pass to a woman in families with daughters but no sons; a ‘special remainder’ may be granted by the crown to allow a woman to inherit a title; and lastly a woman can be given a hereditary peerage by the crown (there are several examples of such peerages being given to a widow to honour her husband’s memory).¹

Women who inherit or are given a title in this way are known as hereditary peers ‘in their own right’, to distinguish them from women who have a title by virtue of their relationship to a male peer (for example the wife of a Lord is known as a ‘Lady’, although she does not hold a peerage herself). There is evidence to suggest that there have been female hereditary peers in their own right for centuries, but they were excluded from the House of Lords before 1963 because they did not have a ‘writ of summons’ from the crown which entitles a peer to become a member of the House of Lords. For example, in 1606 the Court of Star Chamber stated that a countess by marriage or descent could not be arrested for debt or trespass “for although in respect of her sex she cannot sit in Parliament, yet she is a peer of the realm, and shall be tried by her peers”.² Even in the medieval period it appears that this distinction was made clear; Gavin Drewry and Jenny Brock have suggested that “although women were sometimes summoned to attend medieval parliamentary assemblies, they never actually attended in person or sat in Parliament. Contemporary doctrines of Roman law and canon law effectively precluded women from participating in public life”.³

In 1918, following a campaign by the women’s suffrage movement, the passage of the Representation of the People Act 1918 gave most women over the age of 30 the right to vote, and the Parliament (Qualification of Women) Act 1918 allowed women to stand for election to the House of Commons. The following year, the Sex Disqualification Removal Act 1919 removed the bar on women becoming senior civil servants, magistrates and judges. None of these pieces of legislation extended to membership of the House of Lords. There were efforts to challenge this. Amendments were tabled to include female hereditary peers in the Parliament (Qualification of Women) Bill 1918 in both the Lords and the Commons, but these were unsuccessful. The Sex Disqualification Removal Bill 1919 originally included a clause which stated that any future special remainders could allow a woman to inherit a seat in Parliament as well as her father’s peerage, but this was deleted.⁴

Duncan Sutherland has suggested that the question of female hereditary peers’ right to sit in the House of Lords was deliberately excluded from the campaign for women’s suffrage because “the admission of hereditary peeresses did not stir the same popular enthusiasm as the cry of ‘votes for women’”. Sutherland has also asserted that “most upper-class women opposed suffrage”.⁵ However, Mari Takayanagi has pointed out that some aristocratic women were suffrage supporters and suggested that they played an important role in providing the suffrage campaign with “legitimacy and authority”.⁶

Rhondda Case

In 1918, a female hereditary peer in her own right, the Viscountess Rhondda, announced her intention to claim a seat in the House of Lords. Viscountess Rhondda was a peer by special remainder and a former militant suffragette. She was a prominent businesswoman and in 1926 was elected the first female president of the Institute of Directors.⁷ In 1920, she founded a political magazine called *Time and Tide*, and in 1921 she established the Six Point Group, which campaigned for women's rights.⁸

In 1921, Viscountess Rhondda took a case to the House of Lords Privileges Committee, which considered peerage claims and related matters. She suggested that the Sex Disqualification (Removal) Act 1919 gave her the right to a seat in the House of Lords, because it stated that "a woman shall not be disqualified by sex or marriage from any public function". The committee initially found in her favour and voted to allow her to sit in the House of Lords. However, the Lord Chancellor, Lord Birkenhead, and several other peers raised objections. The House referred the case back to the Privileges Committee, which this time voted against Viscountess Rhondda's petition and concluded that legislation was required to enable women to be admitted to the House of Lords.⁹

Viscountess Rhondda asked her lawyer to draft a bill admitting women to the Lords. This bill was introduced in the House of Lords as a private member's bill by Viscount Astor, husband of Nancy Astor, the first female MP to take her seat in the House of Commons. He introduced private member's bills to this effect in almost every session between 1924 and 1928. The House of Lords voted against each of these bills. In 1931, Viscount Astor declined to raise the matter again, suggesting that wholesale reform was needed.¹⁰

Life Peerages Act 1958 and Peerage Act 1963

The matter was not raised in Parliament again for 15 years. After the Second World War, a committee was formed, chaired by Edward Lwi, an English lawyer, which organised a petition on the subject. This apparently collected 50,000 signatures. Edward Lwi's article 'Women and the House of Lords' provides an account of this campaign.¹¹ The petition was never presented to Parliament because in 1949, for the first time, the House of Lords voted in favour of a motion to admit female hereditary peers. However, this did not lead to legislation, as the Labour Government did not want to extend the hereditary principle. Duncan Sutherland has suggested that, at this point, the question of women's rights in the House of Lords became "entangled" with the wider issue of House of Lords reform.

The main reason why the implementation of women's equal political rights took so long is that the question of women's admission to the Lords became entangled with the more controversial question of the wider reform of the Lords' composition and powers. This was much more difficult to achieve than the simple admission of 25 peeresses to the Lords, and the connection of the two questions ensured the repeated postponement of the settlement of this issue.¹²

Sutherland has suggested that the first two acts¹³ by which women were eventually given the right to a seat in the House of Lords, the Life Peerages Act 1958 and the Peerage Act 1963, focused on other constitutional questions, and female representation was just the by-product. He writes that the Life Peerages Act 1958 sought to make the House of Lords more effective, addressing the issue of low attendance, and more representative; for this reason the House of Lords agreed that women should be included.¹⁴ The first life peers, ten men and four women, were announced on 24 July 1958.

The House agreed in principle that female hereditary peers should be admitted in 1959, but this was not reflected in legislation until the Peerage Act 1963, which, Sutherland suggests, “was primarily drafted to allow MP Anthony Wedgwood Benn and other reluctant peers to disclaim their peerages”.¹⁵

Statistics

In total, 300 women (out of 1,436 life peerages) have been created life peers under the Life Peerages Act 1958. Since 1963, 25 female hereditary peers have taken a seat in the House of Lords.¹⁶ To date, four female bishops have sat in the House since the passing of the Lords Spiritual (Women) Act 2015. Between 1999 and 2018, the overall number of women in the House has increased from 106 at the start of the 1999–2000 session to 217 today, while the proportion has risen from 15.8 percent in November 1999 to 27 percent today.

Further Reading

- Houses of Parliament, [Viscountess Rhondda, Women and the House of Lords](#), accessed 14 November 2018
- House of Lords Library, [Life Peerages Created Since 1958](#), 11 October 2018
- House of Lords Library, [Life Peerages Act 1958: 60th Anniversary](#), 28 March 2018
- House of Lords Library, [Life Peerages Act 1958: First Life Peers](#), 28 March 2018
- House of Lords Library, [Lords Membership: Lists of Current and Former Female Peers](#), 30 January 2018
- House of Lords Library, [Women in the House of Lords](#), 30 June 2015
- Professor Angela V John, *Turning the Tide: The Life of Lady Rhondda*, 2013
- Duncan Sutherland, ‘[Peeresses, Parliament and Prejudice: The Admission of Women to the House of Lords, 1918–1963](#)’, *Parliaments, Estates and Representation*, 2000

- ¹ For more information on this subject, see: Duncan Sutherland, '[Peeresses, Parliament and Prejudice: The Admission of Women to the House of Lords, 1918–1963](#)', *Parliaments, Estates and Representation*, 2000.
- ² House of Lords Library, [The Life Peerages Act 1958](#), 21 April 2008, p 2.
- ³ Gavin Drewry and Jenny Brock, 'The Impact of Women on the House of Lords', *Studies in Public Policy*, 1983, p 4.
- ⁴ Duncan Sutherland, '[Peeresses, Parliament and Prejudice: The Admission of Women to the House of Lords, 1918–1963](#)', *Parliaments, Estates and Representation*, 2000, pp 219–20.
- ⁵ *ibid*, p 219.
- ⁶ Mari Takayanagi, '[A Changing House: The Life Peerages Act 1958](#)', *Parliamentary History*, October 2008, p 383.
- ⁷ In fact Viscountess Rhondda was the only woman to have acted as the leader of the Institute of Directors until 2015, when Barbara Judge was appointed as the organisation's national chair (Director, '[Lady Barbara Judge is Named the IOD's First Female Chair](#)', 8 April 2015). See also: Institute of Directors, '[Ruth Davidson Delivers IoD's Rhondda Lecture](#)', 7 December 2016.
- ⁸ Professor Angela V John gave a lecture on the life of Viscountess Rhondda on 26 October 2011 to mark the acquisition by the House of Lords Works of Art Committee of a portrait of the Viscountess (BBC News, '[Suffragette Margaret Haig Thomas Portrait to Go on Show](#)', 29 October 2011) and published a biography about her in 2013 (Professor Angela V John, *Turning the Tide: The Life of Lady Rhondda*, 2013).
- ⁹ Duncan Sutherland, '[Peeresses, Parliament and Prejudice: The Admission of Women to the House of Lords, 1918–1963](#)', *Parliaments, Estates and Representation*, 2000, p 221.
- ¹⁰ *ibid*, p 222.
- ¹¹ Edward Iwi, 'Women and the House of Lords', *Parliamentary Affairs*, 1953.
- ¹² Duncan Sutherland, '[Peeresses, Parliament and Prejudice: The Admission of Women to the House of Lords, 1918–1963](#)', *Parliaments, Estates and Representation*, 2000, p 216.
- ¹³ The Lords Spiritual (Women) Act 2015 enabled female bishops to sit in the House. Since 1847, the number of bishops in the House of Lords has been fixed at 26. Five of the 26 (the archbishops of Canterbury and York and the bishops of London, Durham and Winchester) are automatically granted a seat. Previously, when a vacancy arose in one of the remaining 21 spaces not reserved, the next most senior bishop replaced them. Until 2025, any such vacancy is now filled by a female English diocesan bishop, ahead of any male.
- ¹⁴ Duncan Sutherland, '[Peeresses, Parliament and Prejudice: The Admission of Women to the House of Lords, 1918–1963](#)', *Parliaments, Estates and Representation*, 2000.
- ¹⁵ *ibid*.
- ¹⁶ For more information on this subject, see: House of Lords Library, [Hereditary Peers in the House of Lords Since 1999](#), 27 March 2014.

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