THE ROLE, RIGHTS AND RESPONSIBILITIES OF THE
OPPOSITION

A PAPER PRESENTED BY HON. ALBAN S. K. BAGBIN, LEADER OF
THE OFFICIAL OPPOSITION IN THE PARLIAMENT OF GHANA

As a Lead discussant, my paper is to tickle your minds in order to
stimulate discussion and foster a better understanding of the
essential but little regarded subject of the “Role, Rights and
Responsibilities of the Opposition”

INTRODUCTION

It has long been acknowledged by democratic theory that the principle
of legitimate political opposition is one of the most fundamental
components of any liberal democracy. As Ian Shapiro has contended,
“democracy is an ideology of opposition as much as it is one of
government”. The fundamental role of political opposition, both as a
normative value and an empirical manifestation, for a proper working of
liberal democracy, has, finally, also come to be acknowledged by the
overwhelming majority of political elites and citizens of all mature
democracies.
WHAT IS THE OPPOSITION

A properly functioning constitutional democratic system is about choice. In such a system, there must be a constant reminder to the populace that there is a viable alternative to the incumbent political grouping that holds the potential of moving the country onto a qualitatively higher development plane.

The institutions and bodies that play this role are generally referred to loosely as opposition. However, when the term the opposition is used, it largely refers to parliamentary opposition considered to be the ‘true’ form of opposition. In western democracies, all other forms of ‘unconventional’ and possibly ‘unconstitutional’ opposition tend to be viewed as ‘deviations’ from the parliamentary type of political opposition.

In many democratic systems, the opposition has often been described as a minority party or parties that do not wield executive power. The party or parties that act as a check on the governments. This could be a rather narrow definition and certainly does not make room for all types of governance, e.g. transitional coalition governments.
WHAT IS THE ROLE OF THE OPPOSITION

To understand what the opposition is in the real sense, it is important to look at the role it plays in democratic governance. The role of the opposition in a democracy is a far cry from the definition given by Tierney, a commentator, about a century ago when he contended that “the duty of an Opposition is to propose nothing, oppose everything, and to turn out the government”.

The traditional role of the opposition can be classified under three broad headings: the voice of the voiceless, alternative to the ruling government, and official opposition. A fourth role which has evolved out of the recent global political and economic realities is a critical partner in nation building.

As the voice of the voiceless, the opposition expresses the view of a significant section of the electorate and helps to ensure that concerns of the various groups and other interests not represented in government are not forgotten or trampled upon. It also serves as a vent for the pent-up expression of those whose grievances and voices would otherwise go unheard. This role builds the confidence of the people and reassures them that their concerns and interests are ably expressed and protected.
As I said earlier, properly functioning democratic systems are about choice. There must therefore be a constant reminder to the electorate that there is a viable alternative to the incumbent government. One that has a real or imagined potential to improve the quality of life of the people and let them realise their aspirations this is done by the opposition. In doing so, **the opposition presents itself as a viable alternative to the ruling government.** It may do this by presenting an alternative ideological platform or simply show that it has a greater competence to govern. Under this role the opposition is enjoined in its criticism to show that it could have done things better by offering cogent reasons for its criticism of the ruling government or by presenting policy alternatives.

The third role of the opposition flows out of the first two. It is from this role that it derives its name. **It is the duty of the opposition to oppose the government in power.** This is the most popular and often confused role. The opposition has the duty to oppose the government in power, but to what end? The ultimate purpose must be to persuade the electorate to vote out the incumbent government and put the opposition in power so that it may pursue the policies it believes are best for the nation. For this purpose the opposition will like to highlight and expose those aspects of the ruling governments policies and nature, which it believes not to be in the national interest. The opposition must expose the other side of the coin that is not shiny and
which government will otherwise prefer to hide from the public view. That is focus on the negative. This role is vital for protecting the society from the excesses and corruption of power that innately exist wherever executive power resides. In carrying out this duty, the opposition endeavours to challenge every abuse of executive power; bureaucracy and red tapism; issues of breaches of human rights; waste of public funds; and exposes all these for public or parliamentary criticism and control. This is essentially a watchdog role and is vital to check executive excesses and stimulate democratic debate.

It is from the performance of this role that the negative perception of the opposition arises. But as stated by John Diefenbaker, a former member of the Canadian Parliament, "the reading of history proves that freedom always dies when criticism dies".

In recent times, a new role is emerging from the global dictates of good governance and the dividends of democratic peace theory. In the new globalized world where there is strong recognition of universal human freedoms and rights, and where the concept of good governance is rapidly gaining a foothold, the exercise of executive power, and of course, the role of the opposition is subject to new tenets. Governments are enjoined to uphold the rule of law and protect human rights and freedoms. On the other hand, oppositions
are expected to make room, space or allowance for cooperation and consensus building.

Under this new dispensation, the opposition must exercise circumspection in opposing government. This is particularly relevant to circumstances where there are eminent threats to the peace, security, democracy and psyche of the nation. The national interest, usually very difficult to decipher, should be supreme at all times. It is however not easy to decide on which issues consensus is necessary and when not to oppose in the national interest.

THE RIGHTS OF THE OPPOSITION

To effectively perform the roles as started above, the political system must bestow on the opposition some rights and responsibilities.

The Opposition must have the right to operate in a free and democratic atmosphere. Laws that put fetters on freedom of association, speech, movement, assembly, manifestations and demonstrations are inimical to the existence of the opposition.

The opposition must have access to state media. There must be equity in the coverage and reportage of opposition activities in relation to the coverage of activities of government and government institutions. All state owned media should afford fair opportunities and facilities for
the presentation of divergent views and dissenting opinions to both the government and the opposition.

The Opposition must also have the right to own media so that its views on any issue could be clearly articulated without undue interference.

The Opposition must have the right to freely access materials from official sources to enhance its ability to meaningfully understand the government policies to enable it make informed position statements on the policies. A prerequisite for the enjoyment of this right is the existence of laws on freedom of information and the protection of informants.

The Opposition also has the right to have free access to the people. Laws that ban gatherings, rallies and durbars by opposition elements have no place in multi party democracy and must be outlawed.

Governments have become so complex and expensive. Areas of governance have expanded and Governments have trained civil servants and bureaucrats that handle all issues for them. Similar alternative technical support must be made available to the opposition. For Opposition to discharge its duty effectively, it must have equal rights to trained and outstanding scholars, consultants and technical experts in civil society as the government. Members of the opposition in
Parliament must be accorded the same treatment and facilities as their colleagues in government. The national budget must capture legitimate opposition business.

The Responsibilities of the Opposition

The Opposition has certain responsibilities and obligations to discharge to the state and the people. Democratic governance has moved away from the concept of Her Majesty’s loyal opposition to that of responsible or constructive opposition.

The opposition has the responsibility to be fair in the criticism of government policies. In all cases alternative proposals, as to the best way forward must be laid on the table by the opposition.

The Opposition also has the responsibility to uphold and defend the sovereignty, unity and the national integrity of the country. It should therefore not engage in activities that could undermine the unity and stability of the state.

In matters of real national disaster or misfortune, the opposition has a responsibility to join hands with government to tackle the misfortune.
In the same vain, in moments of national pride and glory the opposition also has the responsibility to come together with government to celebrate and show national solidarity.

In a nutshell the opposition has an equal responsibility as the government to protect, defend and uphold the constitutional order, the rule of law and the peace and stability of the nation.

**Conclusion**

If democracy is to be preserved as a viable mode of governance, then the opposition must fearlessly perform its role. The opposition can perform its role fearlessly and effectively, only when it is recognised, accorded rights and enabled to act responsibly.

Quintin Hogg, an outstanding member of the British Parliament once said “Countries cannot be fully free until they have an organised opposition. It is not a long step from the absence of an organized opposition to a complete dictatorship.”

Traditional knowledge is replete with proverbs that justify the role of the opposition. In Ghana, it is aptly captured in a proverb which says, “It takes different colours of thread to weave a beautiful kente cloth”. In other words it takes different shades of opinions and ideologies to fashion a dynamic democracy. All what I have been saying about the role, rights and
responsibilities of the opposition is to drive home the point that in a true democratic system, the opposition is as important as the government.