CHAPTER II

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In British Parliament, considered the Mother of Parliaments, "Her Majestys Opposition" performs two roles: it seeks to expose the deficiencies of Her Majesty's Government, and ultimately to replace it. It is thus an "Office seeking Opposition", with the Leader of the Opposition posing as an alternative Prime Minister, and his leading colleagues as alternative Ministers\(^1\). It is in this context that in U.K. the terms 'Shadow Cabinet' or the 'alternative Cabinet' are to be interpreted. Gilbert Campion having in view the two-party system in the United Kingdom, rightly defined the Parliamentary Opposition in the following way:

"The Opposition is the party for the time being in the minority organised as a unit and officially recognised, which has had experience of office and is prepared to form a government when the existing ministry has lost the confidence in the country. It must have a positive policy of its own and not merely oppose destructively to ruin the game for the sake of power"\(^2\).

Ivor Jennings, an eminent British Political Scientist, underlines the important role of Opposition in democracies, particularly Parliamentary democracies, by his observation that:


"The duty of the Opposition is to oppose .... that duty is the major check which the constitution provides upon corruption and defective administration. It is, too, the means by which individual injustices are prevented .... It is a duty hardly less important than that of government .... It is the recognition by both sides of the house that government governs openly and honestly, and that it is prepared to meet criticism not by secret police and concentration camps, but by rational argument".

In a two-party system the Opposition tends to be a real institution and a potential government, as in England. Harold J. Laski pointed out that two and only two parties were essential for a successful functioning of a Parliamentary democracy.

In a democracy the Opposition has a certain valuable and constructive role to play. A strong Opposition is as essential to the proper working of the Parliamentary system as is a stable and strong ruling party. Parliamentary system rests upon three Principles - the Principles of representation, discussion and responsibility. Parliamentary

government is essentially a government by discussion and compromise and it implies not only a Parliamentary majority but also a Parliamentary minority. The majority party runs the government and the minority party tries to expose the defects in the working of the majority party. Parliamentary Government is a Government by criticisms, is a Government by expositions and therefore it has to be governed by two parties, viz., a Party in power and Party in Opposition. The essential feature of a democracy is that the Opposition should have the right to exist, to express itself and to seek the mandate of the voters to replace the Government. The legitimate existence of organized groups - especially political parties - that oppose, criticise, and attempt to replace the ruling elites can be viewed "as very nearly the most distinctive characteristic of democracy itself". According to Ramsay Muir:


"In a democratic system there are two factors: the Government and the machinery for exercising criticism and control of it on behalf of the people Parliament."\textsuperscript{10}

A. Lawrence Lowell was of the belief that:

"The recognition of the Opposition as a legitimate body, entitled to attain to power by persuasion, is a primary condition of the success of the party system and therefore of popular government on a large scale."\textsuperscript{11}

Modern democracy was created by the competition between Political Parties and is unthinkable without them\textsuperscript{12}. Opposition, according to David Apter:

"is essential if the problems of governing new nations are not to engulf those in public office and impel them to coercive solutions."\textsuperscript{13}


The role of the Opposition is a part of the process of Opposition. Rodney Barker comprehensively articulates the role of the Opposition as:

(i) Total resistance to the form and basis of the state;

(ii) resistance to the power of oppressive institution of the state;

(iii) resistance against the denial of legitimacy;

(iv) system of checks and balances;

(v) methods whereby the citizen or a group without condemning government on inherently oppressive, modifies its action, mellow its harshness and prevents its tyrannies.

Ramakrishna Hegde has rightly observed that the role of the Opposition party is:

(i) to constantly and vigilantly watch the functioning of the Government and the ruling party;

(ii) to expose the mistakes and blunders committed by the Government and the ruling party;


(iii) to provide an alternate programme to the people. To place before the people an alternate programme, alternate practice philosophy, an alternate ideology, so that ultimately, it can convince the people about, its capacity to give a better government or administration than the one given by the party in power. Simon Barraclough has summarised the role of the Opposition in legislature in the following manner:

"The role and participation of the Opposition in any legislature will be determined not only by its own composition, expertise and skill, but also by such factors as the status and role of the legislature itself, as well as the attitude of the incumbent government to its participation".

Stating that the role of the Opposition is rather difficult to define, Robert Dahl explains that the group or party which is not in power and is opposed to the conduct of the government is the Opposition.


In his book *Party and Democracy in India*, S.N. Sadasivan maintains that the role of the Opposition in Democracy in the following words:

"No real democracy can function without a strong vigilant and vigorous Opposition. It is an integral part of the democratic structure and the conscience keeper of a democratic society. An effective Opposition restrains the party in power from transgressing its functional limits, constantly reminds it of its responsibility, keeps its responsive to popular demands and poses a challenge to its position by promising better performance. It is the responsibility of the Opposition to inform the nation in time the defects and dangers in the official plans and policies and to mobilize public opinion to get them suitably modified. It educates public opinion on the issues facing the country and brings them before the legislature to activate the process of discussion and debate and enforce the right of being consulted. It organizes social power to check official power from becoming arbitrary and acts as a vigilance force for the safety of the democratic order.\(^{19}\)

Opposition reinforces democracy. In examining the extent to which a political system achieves democratic goals or values, different criteria should be used to

judge the desirability of different kinds of Political Opposition. The Opposition, says Jennings,

"is at once the alternative government and a focus for the discontent of the people. Its functions are almost as important as that of the Government. If there be no Opposition, there is no democracy. His Majesty's Opposition is no idle phrase. His Majesty needs an Opposition as well as a Government."  

The existence of such a constitutional or legitimised Opposition is a characteristic feature of democracy. A study of the role of the Opposition is essential to understand the working of the legislature, and also to gauge the extent to which democratic institutions can function. If the legislatures main function is to criticise, the Opposition is its most important functionary. The effective functioning of a Parliamentary Opposition depends on strict adherence to certain basic principles and the application of certain well-known techniques adapted to give situations as they arise from time to time. For any

efficient functioning of democracy there should be two parties - one is party in power and another is party in
Opposition. If the existence of a democracy is to be felt and respected, there should be an Opposition\textsuperscript{25}. A Parlia-
mentary system of democracy envisages several political parties in the field. Where a single party rules and other political parties are banned, it is not a Parliamentary system of government\textsuperscript{26}. The Parliamentary democratic sys-
tem requires amongst other important principles:

(i) That the people have the right and the opportunity to change their Government peacefully through regular general elections.

(ii) That there should be freedom of speech, freedom of publication, freedom of Oppo-
sition and the independence of the judiciary\textsuperscript{27}. Political systems vary a great deal, however, in the bar-
riers or opportunities they provide for the expression, organization and representation of political preferences and thus in the opportunities available to potential Opposition\textsuperscript{28}.

\textsuperscript{25} Sivappa, S., 'Role of Opposition' in Lectures on Par-

\textsuperscript{26} Ramakrishna Hegde, 'Political Trends in India', in Lectures on Parliamentary Practice and Procedure, Mysore Branch of Commonwealth Parliamentary Association, Bangalore, 1972, p. 133.

\textsuperscript{27} Jayawardene, J.R., n.8, p. 192.

\textsuperscript{28} Robert A. Dahl (Ed.), Introduction, Regimes and Opposi-
The role of the Opposition is expected to play is described variedly so as to constitute the function to criticise the Government, to function as a check on Government, to take initiatives. Robert A. Dahl states that Oppositions differ in Six Ways:

1. The organizational cohesion or concentration of the opponents
2. The competitiveness of the Opposition
3. The site or setting for the encounter between Opposition and those who control the government
4. The distinctiveness or identifiability of the Opposition
5. The goals of the Opposition
6. The strategies of Opposition.

Besides a proper role perception and a sound strategy, the Opposition requires:

(a) proper leadership (b) programme (c) organization and (d) proper political style and a favourable image.


The presence of a strong Opposition in a Parliamentary system is inevitable for keeping a constant check on the Government. The effect of Oppositions criticism in to maintain a close relation between the Government policy and the public opinion. In order to perform the role of the Opposition, it is vital that Opposition should be strong viable, responsible, both in quality and quantity, that it presents to the 'enemy' - the party in power - a solid front, that it is well informed and vigilant. The importance of the Opposition in the system of Parliamentary government has long received practical recognition in the procedure of all Parliaments throughout the British Commonwealth. To quote professor Keith:

"The Opposition seeks power to effect the changes it desires but it does not seek power by means which deny democracy. There are standards of fair dealing which are normally respected and which if any party should violate


it endeavours to prove in reality still intact. It follows therefore that there must be cooperation above all in arranging the business of the House. It is not the right of the government to stifle criticism, it must therefore, put down for discussion such financial items as the Opposition wish to discuss. It must find time for the discussion of a vote of censure. On the other hand it expects reasonable aid from the Opposition in dealing with non-contentious business and in arranging the use of parliamentary time .... Co-operation is also sought when issues approach such a crisis that in action would be dangerous to the public welfare"35.

The Privileges of the House as a whole and the Privileges of the Parliament are to be jealously guarded by everyone, but the major responsibility falls on the Opposition, particularly the Leader of the Opposition36. The Political Opposition is an inseparable part of every party system. The nature and character of Opposition vary from one party system to another. The Opposition but its existence is


found in every type of Party System, with a crucial role assigned to it. Smt. Indira Gandhi described the roles of the ruling and Opposition parties in Parliamentary democracy in the following memorable words:

"Parliamentary democracy cannot function without mutual respect of the government in power and the Opposition for the respective roles. The very foundation of Parliamentary democracy is based on recognition by the Opposition of the right of the majority party, which has been voted to power, to govern the country for the term prescribed by the Constitution and to pursue its declared programmes."

The constant presence of a recognised Opposition, writes Lowell,

"is an obstacle to despotism ... the existence of a party in Opposition, with a programme fairly within the limits of a possible public opinion, is a bulwark against the tyranny not only of a despot but also of a fanatical majority."


Democracy as a system based on competitive parties, in which the governing majority respects the rights of minorities. The role of an Opposition is mostly clearly seen in a country where the Political scene is normally dominated by two Parties.

It would be worthwhile now to describe in general, (I) the kinds of Opposition, (II) the functions of Opposition, (III) the problems of Opposition and in light of this description to discuss the role of the Opposition in (IV) Britain - A Parliamentary democracy, and (V) United States of America - A Presidential democracy.

The following sections are devoted for this purpose.

SECTION-I: KINDS OF OPPOSITION

Maurice Duverger, an eminent French Political Scientist and an authority on Political Parties, has classified Parliamentary Opposition into three main categories:

"a conflict without principles a conflict over subsidiary principles, a conflict over basic principles".  

Real alternative government is possible only in a two-party system. Something different is found in systems with more than two parties, depending on how many parties there are and how widely different their political opinions are. In moderately pluralistic party systems, coalition governments are the rule. In countries with too many parties, there is only semi-turnover between groups of parties. Duverger points out that it is only in the two-party system, that one finds the institutionalised Opposition. In a multiparty system, one finds non-institutional, overlapping and shifting Oppositions that do not really present clear-cut alternative politics to the electorate.  

Robert A. Dahl categorizes party systems in terms of competition, cooperation and coalescence in elections and legislative politics. He then presents a typology of patterns of political Opposition. (1) Non-Structural Opposition (Pure office-seeking parties, pressure groups, policy oriented parties), (2) Limited-structural Opposition (non-policy oriented political reformism) and (3) Major structural

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44. Maurice Duverger, n.42, p. 414.
45. Giovanni Sartori, n.43, p. 35.
Opposition (comprehensive political - structural reformism, democratic social structural reformism, revolutionary movements)\(^{46}\). For political parties the possibility of attaining power provides the sustenance. It may be observed that "responsible Opposition and party proliferation are inversely correlated"\(^{47}\). Thus, the pattern and style of Opposition differ from one type of party system to another. But a definite, organised and persistent Opposition seldom exists\(^{48}\).

A distinction has to be made between responsible Opposition and irresponsible Opposition. An Opposition which knows that it has a reasonable chance to govern is likely to be have responsibly and in a restrained way\(^{49}\). Not only the number of parties but also their alliances, party strength and internal organisations affect the nature and form of the Opposition. A major party which includes many groups with diverse and often contradictory interests is not as dogmatic in its role as an Opposition, as a minor party consisting of a few interests that are particularly well defined. Social heterogeneity of a party is another factor that affects the nature of an Opposition. A relatively homogeneous party representing a single class may

\(^{47}\) Sartori, G. n.43, p. 35.
\(^{48}\) Robert A. Dahl, n.2, p. 34.
\(^{49}\) Sartori, G. n.43, p. 34.
adopt a more uncompromising attitude in Opposition than one representing heterogeneous interests. The claims of each social group are supported separately by such party which has come to be called 'Sectional Opposition'.

Edward Shils distinguishes between the performance of ruling and Opposition parties in different Political Systems. Sometimes in a multi-party system, the dominant ruling party, in order to destroy its rival parties, removes the Opposition from the public view and does not permit any publicity to its activities. But the activities of the Opposition cannot always be suppressed as they would be carried on outside the legislature. Such an Opposition which is carried on outside the Opposition parties and institutions is known as 'Closed Opposition'. This too like the open Opposition wishes to capture power and is also concerned with policy.

Opposition may also be classified as active and passive. Active Opposition recognises the conflict between its interest and that of the government and chooses a course


of action intended to change the conduct of the government, whereas a passive Opposition recognises the conflict, but does not take any effective action to modify the conduct of the government. Giovanni Sartori has classified that the Opposition into three basic types:

"(a) the Constitutional and responsible,
(b) the Constitutional but non-responsible and (c) Opposition which is neither Constitutional nor responsible."

SECTION-II: FUNCTIONS OF OPPOSITION

Effective Opposition generally means an Opposition which performs two basic functions in the set-up of Parliamentary democracy. First is that it provides constructive criticism and corrective to the policies and programme of the party in power. Secondly, it is able to form an alternative government when the party in power goes out of office because of the loss of the mandate of the electorate, constitutional deadlock etc.

53. Giovanni, Sartori, p.43, p. 36.
The function of the Opposition is not merely to discredit the Government in the eyes of the people, but also induce it for modifying its policy. The Opposition performs other functions too. It may also organise and represent certain other interests which are not necessarily concerned with the protection of minorities and their dissenting opinions. Opposition performs political communication functions, providing a channel of information which may not be really effective, sometimes it is only a safety valve where the Opposition is tolerated to placate some oppositions. The main functions of the Opposition party (or parties) in a Parliamentary system of government are related to a struggle for power.

The concerted action of the Opposition is one of the surest means of controlling a government. The responsibility of the members in the Opposition is to be objective and pertinent in their criticism, constructive in their approach and generally amenable to reason. The debate gives an

56. Giovani Sartori, p. 43, p. 32.
57. Giovani Sartori, p. 43, p. 32.
opportunity to the government to explain and defend their proposals and to the Opposition an opportunity to air their grievances or to criticise the general policy of government. The Opposition demands that policies be formulated openly, while the government defends these policies, it induces the government to modify them. Another functional role of the Opposition Parties is that of innovation. This includes the representation of new groups or interests by acting as the spokesman for their demands, and the adoption of new ways of organising or mobilising voters. The newly mobilised groups may find it easier to enter and gain leadership in the Opposition parties. Those who are dissatisfied with the reforms and those who are threatened with the loss of status or role or function by the reforms or policies instituted by the dominant party, usually seek representation in the Opposition parties. Thus, group loyalties become harnessed by organised Opposition in the interests of the nation. They may present themselves as the defenders of a traditional social structure. Opposition parties are an integral element of the party system which contributes to the dynamics of the political system. Opposi-

64. Subhas Chandra Hazary, "The Opposition in Indian Politics: Retrospect and Prospect", Paper presented at 42nd Annual Conference of Indian Political Science Association held at Hyderabad, May 15-17, 1983.
parties are expected to educate the masses and make them politically conscious. Their prime duty is to remove the lethargy among the people and make them take interest in matters pertaining to government.

The ventilation of public grievances is one of the main tasks of the Parliamentary Opposition. It ventilates public grievances in the Parliament through various Parliamentary methods, such as Questions, Half-hour discussions, Short-duration discussions, Call-attentions, Adjournment motions etc. and secures discussion particularly on questions that agitate the general public and tries to press the government to solve them. The Opposition makes politics free and competitive, enlightens the people in the art of self-government and provides a viable political alternative to keep the democratic system healthy and endurable. Oppositions may provide experienced, alternative elites which are able to move relatively easily into the offices of government upon the defeat of the existing national leadership at an election. The existence of legitimate Opposition

helps in the broad inculcation of democratic values, both within the Opposition following and within the society at large. Opposition duty to ventilate the grievances of the people, to raise the level of their political consciousness, to defend their rights and to expose corruption in administration. Asoka Mehta has observed that the main function of the Opposition is to exercise vigilance. The most important function of the Leader of the Opposition is not only to seek consensus but to co-ordinate the activities of the members of the Opposition. The Opposition educates the public opinion. It enables an average citizen to express his opinion freely and fearlessly. It regularly provides information and knowledge about different public affairs to the electorate and makes them capable of debating party decisions. Edward Shils has observed that the informative-evaluative-corrective function is one of the most important function of any Opposition. The Opposition demonstrating an alternative location of a political power,


72. Madhu Dandavate, n.36, p. 34.

73. Partyal, H.S., n.66, p. 7.

characterises the political system of a country. The opposition is recognised as one of the prerequisites of every democratic political system.\footnote{Patagundi, S.S., 'The Opposition and Indian Political System', Paper presented at 42nd Annual Conference of Indian Political Science Association, held at Hyderabad, May 15-17, 1983, p. 46.}

\textbf{SECTION-III: PROBLEMS OF OPPOSITION}

The parties in power always enjoy considerable advantages over those in the Opposition, because they are able to collect money easily for spending in politically useful ways. It is a difficult task for the Opposition parties to provide the necessary incentives to compensate for this imbalance.\footnote{Fishel, J., Party and Opposition, Congressional Challengers in American Politics, New York, David McKay Co., Inc., 1973, p. 195.}

In a Parliamentary democracy, the ruling party is able to divert a certain amount of the government money for the use of the party to maintain the loyalty of its followers. The Opposition parties have neither any access to public money nor much of private contribution to pay for electoral campaigns, which are necessary if they are to function as real competitors. Consequently, often we find members of the Opposition parties crossing over to the majority party. These members cannot afford to be on the losing side for long, and they are tempted to make their peace with the
party in power, in order to enjoy some benefits. This renders even their criticisms ineffective, more so with the illiterate and politically impermeable population. The Parliamentary Opposition must be strong enough both in numbers and in quality to control the government. Otherwise, the Opposition tends to become slack in its habits, loses self-confidence and starts criticising itself. It becomes defeatist, even irresponsible, and loses its ability to be on the offence when the opportunity arises.

Sometimes, common people as well as those in authority discount the criticism by the Opposition on the ground that it is the business of the Opposition merely to Oppose. Hence, this results in a situation, where the opinion or the demand of some independent body or a prominent citizen has greater effect than that of the Opposition.

Alexis de Tocqueville also contends that the greatest danger to the American Republic proceeds from the unlimited power of the majority. As Laski points out, democratic institutions can function fully only in democratic societies.

78. Laski, H.J., n. 4, p. 162.
According to Edward Shils, the Opposition is tolerated where one or more of the following factors are present:

(i) The ruling party by itself or in association with other parties have a very substantial majority and so feels safe,

(ii) The ruling party has a strong attachment to constitutional government,

(iii) an unaggressive Opposition,

(iv) The Opposition is large and cannot be suppressed without resorting to arms or mobilising public opinion and

(v) the rulers do not regard themselves as the sole protectors of the nation.\(^{82}\)

SECTION-IV: OPPOSITION IN BRITAIN: A PARLIAMENTARY DEMOCRACY

The British Political System dates at least to William the Conqueror in 1066, and has evolved in character with several abrupt constitutional breaks since then the most recent was the Glorious Revolution of 1688 and the settlement it produced. The regime of coordinate executive and legislative branches that was founded then was transfor-

\(^{82}\) Shils, E., p.74, p. 47.
med gradually into a Parliamentary system by the mid-nineteenth century.83

In England in the eighteenth century, the Ministers were the Kings servants running his government, administering his policy. The creation of a "formed Opposition" in the sense of a body of men who were ready to replace the Cabinet was regarded as disloyal and factious. The French Revolution and the Napoleonic wars prevented the development of the Idea that a formed Opposition was respectable84. Until 1761, there was no great issue dividing the parties. During the French Revolution, differences arose between people who with Burke believed that the existing institutions were good, and those who were prepared for a modest reform85. The American War of Independence also created some differences among the people. The Reform Act of 1832 gave further impetus to the divisions. In 1770, Burke published his pamphlet justifying party politics based upon particular principles and operating as a "formed Opposition". But, it was not yet a party Opposition based on leadership for the advancement of a common policy. It developed when Fox led the attack upon Pitt after 1783. Until 1806, "His


Majesty's Opposition" did not become an accepted fact. The Idea of "formed Opposition" was an accepted concept by the time the Ministry went out in 1807 over the Roman Catholic Relief and "His Majesty's Opposition" was requested to form a government. Since 1832, there has always been an opposition in England.

The British Parliamentary system is generally thought of as the world's oldest example of a legislature properly so called, and also the most widely copied in different regions of the earth. The distinctive feature of British political life is the remarkable flexibility with which the Constitution has been able to accommodate social change without losing its identity. The two-party system is the key to understanding the operation of the British Government. It has the following characteristics:

1. the near-certainty that one party or the other will be returned with a clear and working majority in parliament
2. the formation of a cabinet drawn from the majority party

(3) the stability of the cabinet, since its party majority is disciplined

(4) the assurance that the cabinet will last the full term of Parliament's life

(5) the unambiguous responsibility of the Cabinet for all that happens during its period of office

(6) the presentation of the electorate of a clear choice between the government party, running on its performance and the opposition party, running on its promise.

Democracy serves to broaden participation in politics, or to increase, as Dahl says,

"the number, size, and diversity of the minorities whose preferences will influence the outcome of governmental decisions".

Maurice Duverger says that

"the two-party system seems to correspond to the nature of things", because

"political choice usually takes the form of choice between two alternatives."


The Party system influences almost every aspect of British democracy, including the Cabinet, office of Prime Minister, and the Opposition. In this particular respect, the extent of its influence is increased by the fact that the political scene is dominated by two great parties. The British Political system rests on a stable legal and social basis. For over one hundred years Britain has had a mass electorate accepting the constitutional system which, while providing that there should be no formal limit to the power of a government with a Parliamentary majority, still establishes the rights, privileges and duties of an accepted legitimate Opposition. The unique feature of the British system of government is that Opposition is encouraged. This is seen in the status given to the Opposition is encouraged. This is seen in the status given to the Opposition reflected in the title "Her Majesty's Opposition", and the appointment of the leader of the largest single minority party as official Leader of the Opposition, paid from the consolidated fund. The Opposition is organised on broadly similar lines to the government; leading members from the Shadow Cabinet and Party supporters are organised

by the Opposition whips. The relationship of the two parties is aptly described by the traditional dictum "The government governs, the Opposition criticises".

An effective leadership is one of the first essentials for projecting a bright image of the Opposition in the minds of the electorate. For without effective generalship, as Laski says,

".....the Opposition case goes by default. The effective work of criticizing the Government fails to be done. Because it so fails the ears of the country do not listen to the proceedings of the House, and the educative force of its debates is lost. More than this, a weak Opposition begins to lose confidence in itself. It loses its integration and becomes not merely self-critical, but publicly self-critical. The result is to transfer public interest from its function as an Opposition to the inferior problems of the personalities involved in its internal differences. It becomes defeatist and even irresponsible; it loses what in a Parliamentary system is fatal to lose, the ability to take the offensive when the opportunity presents itself. For every Opposition is to pass through two phases if it is to transform itself into a Government. There is the phase


where it seeks to make the case against the Cabinet of the day; after a period, it is rare for such a case not to offer itself on solid grounds. But there is the second and more difficult phase, in which the negation of the first is transformed into the ability to convince the electorate positively not only that the Government is a bad government, but also that, for the sake of the country, the Opposition ought to take its place as soon as possible. No Opposition can produce that conviction unless its Front Bench has quality enough not only to take the offensive, but also to seem to take it on comprehensive and adequate grounds.97

The Opposition is important because it gives expression to public opinion, and reflects the current public reaction to Government policy, it is the mouthpiece which the constitution provides for the expression of public opinion, and a Prime Minister must always pay attention to it, however large his majority98. In Britain, the Opposition's aim is to present itself as a credible alternative government to the party in power, it cannot just act in an obstructive or destructive manner; it has to be constructive in the sense that it offers an alternative policy to the policy of the party in power99. Parliamentary Opposition is a permanent feature of party government. It is compelled

97. Laski, Harold, J., n.4, p. 163.
98. Lowwenstein, Karl., n.89, p. 122.
99. Parry, Glyn., n.95, p. 336.
by the logic of the Parliamentary system to adopt a responsible attitude. The British phenomenon of the Opposition is the result of the growth and maintenance of a two-party system and the uncertainty of the timings of a general election. The Important Characteristic of the Opposition is that it is a viable alternative government.

Samuel, E. Finer has observes the Parliamentary Opposition in Britain have five Characteristics and five functions. Its Characteristics are the following:

(1) It is organized. It presents a United challenge to the government on all issues it chooses to contest. It has leadership, a nervous system (the whips) and an intelligence system (the back benchers committees).

(2) It is permanent. It does not band and disband but it is a continuous corporation.

(3) It is representative. It is the leader of a group of dedicated party followers throughout the country, with whom it is organically connected.

(4) It is the alternative. If the government falls, the Opposition succeeds. If the government is beaten in an election, the Opposition takes over. This possibility forces the Opposition to be more moderate in what it condemns and what it promises.

(5) It is a participant. It helps the government shape the program of the house and participates in the decisions made in each session.102

According to Finer, the functions of the Opposition are these:

(1) To participate in the deliberations of the House of Commons
(2) To oppose objectionable policies by voice and vote
(3) To compel the government, by all acceptable methods, to modify its policy
(4) To create public revulsion against the government and public sympathy for itself, as the precondition for winning the next election
(5) To propose an alternative program. This is perhaps the most important of all the Opposition's functions.103

The representative function of elected assemblies depends upon the general recognition that not the majority alone but majority and minority together represent the Nation. As Jennings has put it, in concluding his work on "Parliament":

"The one permits the other to govern because the second permits the first to oppose and

103. Ibid.,
together they lead their parties in the operation of the Constitutional machine. The 'National' Government is truly national because it has a National Opposition and the people are free. The leaders of other Oppositions are rotting in concentration camps or have joined the noble army of Political martyrs and the peoples are slaves"104.

In any case, policy is a matter of opinion which can rarely be expressed in simple terms of 'yes' or 'no'. It has to be hammered into shape, and in this process the Opposition shares. 'Policy', as Quintin Hogg observes in his work "The Purpose of Parliament" as follows:

"is the product, not, as is generally supposed, simply of majority rule but of government by discussion, of the interplay between the Opposition's reasoning and objection, and the Government majority in the lobbies"105.

In Britain, the Opposition's criticism is loyal, constructive and responsible. It is loyal because it accepts the fundamental principles of the British Constitution106. As Professor A.B. Keith says:

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"The Opposition seeks power to effect the changes it desires but does not seek power by means which deny democracy"\textsuperscript{107}.  

One can see in the House of Commons a game played according to established rules. For them cheating is more disgraceful than losing\textsuperscript{108}. Parliamentary procedure is a conflict between "His Majesty's Government" and "His Majesty's Opposition"\textsuperscript{109}. It is organised and operated on the basis of the theory that a Party "Government" proposes and a Party "Opposition" opposes, both cooperating with each other. The two sides are engaged in a conflict during the debates, but they also cooperate in managing the nation's business together. The conflict is open, whereas the cooperation is hidden in the background. The two sides invariably agree on the proper conduct of the business of legislation\textsuperscript{110}.

The effectiveness of the Party system in Parliament rests, to a considerable extent, upon the fact that government and Opposition alike are carried on by agreement, that is to say, the minority agrees that the majority must govern and, therefore, accepts its decisions; and the majority agrees that the minority should criticise and,


\textsuperscript{109} Jennings, Ivor., n.62, p. 9.

therefore, sets time aside for that criticism to be heard.\textsuperscript{111}

\textbf{SECTION-V: OPPOSITION IN UNITED STATES OF AMERICA: A PRESIDENTIAL DEMOCRACY}

The United States of America is a federal republic with a democratic system. The United States was created when thirteen former British Colonies declared their Independence in 1776 and secured recognition of that Independence after victory aided by France in a war against Britain. The Constitution was adopted in 1789 after an early one proved to have given inadequate powers to the federal government.

The United States is the world's largest democracy (after India) and the largest of the older well-established democracies, with a very long and uninterrupted history of free elections.\textsuperscript{112}

Clinton Rossiter, a well known American Political Scientist, rightly describes the importance of parties in the following words:


"No America without democracy no democracy
without politics no politics without parties
no parties without compromise and moderation.
So runs the string of assumptions on which
hangs this exposition of the politics of
American democracy.\textsuperscript{113}

As the late V.O. Key wrote:

"The American Party system consists of two
major elements, each of which performs in
specified ways or follows customary behavior
patterns in the total system. To remove or
alter the role of one element would destroy
the system or create a new one.\textsuperscript{114}

The Presidential System of government in U.S.A. is based
on the Principles of Separation of power and the legisla-
ture and executive are completely independent of each
other.\textsuperscript{115} In the words of Garner, the Presidential System
is:

"that system in which the executive (including
both the head of State and his Ministers) is
Constitutionally independent of the legislature
in respect to the duration of his or their
tenure and responsible to it for his or their
political policies. In such a system the

\textsuperscript{113} Rossiter, Clinton; \textit{Parties and Politics in America},

\textsuperscript{114} Key, V.O., \textit{Politics, Parties and Pressure Groups},

\textsuperscript{115} Srivastva, S.N., \textit{Comparative Political System},
New Delhi, Surjeet Book Depot., 1987, p. 79.
Chief of State is not merely the titular executive but he is the real executive and actually exercises the powers which the Constitution and law confers upon him.\textsuperscript{116}

Commenting on the growth of Political Parties in the U.S.A., William Chambers observes:

"It was perhaps fortunate as well as inevitable that the Federalists, with their emphasis on stability and consolidation, came first on the scene and held power first, that the Republican appeared later and were slower to gain the strength that made them contenders for public power; and that both formations still reached only limited numbers of voters, instead of achieving immediately the full mobilization of popular masses in party competition. If the new polity had begun its political life with two full-brown parties, both stirring broad mass action in their behalf, the frictions of party combat might have proved unmanageable.\textsuperscript{117}

American parties achieved a modus vivendi of adjustment to Opposition and peaceful rivalry instead of repression or violence.\textsuperscript{118} One of the leading scholar of the origins of the American Parties has summarized their genesis very well:

\textsuperscript{116} Quoted in Srivatsva, S.N., n.115, p. 78.

"Parties proper are, apparently, the products of certain types of social structural conditions and ideological configurations which have come to characterize political modernization as it has taken place in western societies. The relevant social conditions appear to be those which are related to the absence or dissolution of closed, traditionalistic, and hierarchical social structures and modes of conducting politics. The relevant ideologies appear to be those which point to mass or democratic involvement or participation in the political process. In short, parties proper appear to be products of the process of modernization and the emergence of mass or democratic politics, and of democratic or plebiscitarian ideologies — and at the same time to be themselves steps towards political modernization\textsuperscript{119}.

In the introduction to his book on Political Parties, Maurice Duverger notes that:

"... In 1850 no country in the world (except the United States) knew Political Parties in the modern sense of the word. There were trends of opinion, popular clubs, philosophical societies, and Parliamentary groups, but


no real parties. In 1950 parties function in most Civilized Nations, and in others is an attempt to imitate them.\textsuperscript{120}

Jack Plano and Greenberg describe the functions of Political Parties in the United States as follows:

(1) Stimulate interest in the political process
(2) Publicize political issues
(3) Recruit candidates and carry on national, state and local campaigns
(4) Raise finances for political activity
(5) Help maintain the honesty of elections and
(6) Take responsibility for operating the machinery of government or providing an organized Opposition\textsuperscript{121}.

As for the parties within the Senate, Huitt comments:

"There is a limit to what party in the Senate can carry but it is not a negligible force.... The party emerges as the most often – headed cue-giver in the Senate. A Senator may vote with it because there are no competing cues; that is, on an issue he may hear no clear voice from home and may have no strong sentiments of his own. But it goes farther than

\textsuperscript{120} Maurice Duverger, \textit{n.42}, p. XXIII.
that on administration measures in the Eighty-first congress even the dissident southern wing voted with the Democratic majority more than the Republicans most likely to vote with the administration. This unifying tendency is more evident in the majority party. Lacking the recognized leadership furnished the majority by the President, the minority may lack the capacity to organize a stable majority of its members around a program of Opposition.

Nearly thirty eight years ago, a Committee on Political Parties set up by the American Political Science Association commented:

"The fundamental requirement of accountability is a two party system in which the Opposition party acts as the critic of the party in power, developing, defining and presenting the policy alternatives which are necessary for a true choice in reaching public decisions. The Opposition most conducive to responsible government is an organized party Opposition."

Karl A. Lamb has noted that the party in power generates its own internal Opposition whenever possible. Thus:


"The actions of the Republican party during the conflict over President Roosevelt's proposal to enlarge the Supreme Court supply the most notable example of this failure of responsible, partisan Opposition in recent political history. That legislative battle was probably the most crucial of the New Deal era, but it was publicly fought within the Democratic party, while the Republicans maintained a stony, official silence ..... So far was the American public from accepting the role of a responsible Opposition that Republican Congressional leaders dared not oppose the plan, fearing that Opposition bearing a Republican label would lead both electorate and legislators to assume the existence of hidden values in the proposal of the Democratic President."124.

American Opposition responsibility is to act as critic, as publicity agent, as a check on the majority or as a spur to action, and to prepare, itself to offer an alternative general program at the next election125.

Robert A. Dahl, in a keen analysis of democratic theory concludes:

"The real world issue has not turned out to be whether a majority, much less 'the' majority, will act in a tyrannical way through democratic


procedures to impose its will on a (or the) minority. Instead, the more relevant question is the extent to which various minorities in a society will frustrate the ambitions of one another with the passive acquiescence or indifference of a majority of adults or voters."126.

Austin Ranney maintains that unity in American Parties would destroy the very two-party system the Committee on Political Parties wanted to strengthen:

"It has often been that the Congeries of bipartisan and intraparty "blocs" in Congress is, in effect, a multiple-party system masquerading under the labels and formalities of a two-party system. To the extent that this is an accurate description of our present national party system, it results, not from any mere organizational deficiency in our national party machinery but rather from the diversity and multiplicity of our interest groups and the heterogeneity and complexity of the political conflict they express. So long as the basic nature of the American Community remains the same therefore, centralizing and disciplining our national parties would very likely result in a multiple-party rather than a two-party system."127.

Long ago, George Washington successful in warning against the "Spirit of Party", some are of the opinion, he said:

"that the Parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of Liberty. This within certain limits is probably true—and in governments of a monarchial cast, patriotism may look with indulgence, if not with favour, upon the spirit of party. But in those of popular character, in governments purely elective, it is a spirit not to be encouraged."128.

The lack of ideological Opposition in the United States has lent great stability to the system. Ideological movements, for both cultural and structural reasons, have had little impact in altering the basic framework of American Society.129 According to Roger Hilsman, decision-making in America tends to follow the following pattern:

"Rather than through grand decisions or grand alternatives, policy changes seem to come through a series of modifications of existing policy with the new policy emerging slowly and


haltingly by small and usually tentative steps, a process of trial and error in which policy zigs and zags, reverses itself and then moves forward in a series of incremental steps"\(^{130}\).

The heart of any democratic system is Opposition to the official holders of governmental power. Such Opposition is assumed to keep the office holders honest, progressive, and responsive to the demands of the society. Opposition to the political authorities, however, may be of two types. First, typical partisan Opposition seeks merely to replace one set of political leaders with another, and emphasizes personnel rather than policy. On the other hand, one may oppose the political authorities as a social class\(^{131}\).

Bryce points out that the Presidential form of Government, though the Congress consists of parties, there is neither government party nor an Opposition party. The majority may be and often is opposed to the President and his Cabinet. The Congress in the United States neither creates, nor controls nor destroys the administration which is run by the President. Here the entire legislature performs the function of controlling the government, resulting in the unbounded power of the majority\(^{132}\).

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130. As quoted in McLennan, Barbara (Ed.), n.129, p. 258.
To sum up, the salient differences in the nature of the Party and Political Systems in Britain and United States of America and a comparative picture of the role of Opposition in these two countries is attempted in the following pages.

Political Opposition in Great Britain has, for a very long time, been merged in the public mind with a concept of party competition in an institutionalized two-party system. In Great Britain, the party in power establishes the Government while the party that lost the last general election is euphemistically referred to as "Her Majesty's loyal Opposition"133. The function of the Opposition is constructive as well as destructive, but the argument is sometimes advanced that party government would benefit greatly if the Opposition were informed earlier, and more fully of all major Government policies134.

R. Crossman states,

"it is no exaggeration to say that very often at Westminster, more effective Opposition can be exercised by dissident groups of Government supporters than by 'Her Majesty's Royal Opposition'"135.

Under normal circumstances, the British Opposition can expect to do only three things. According to Finer,

Firstly, it can (and often does) wring amendments to legislation from the government or rare occasions these are substantial in number and importance,

Secondly, the Opposition can expose the weaknesses or injustices of government policies and sometimes get them modified or even cancelled,

Finally, the attacks of the Opposition can create a mood among the electorate, for it is to the electorate that its criticism is directed.\(^{136}\)

J. Harvey and L. Bather summarised the functions of the British Opposition parties as follows:

1. It secures continuous accountability for the way in which the Government's powers are exercised,
2. It accepts the responsibility of government when the electorate desires a change of policy,
3. It co-operates with the Government in the actual business of Parliament,
4. It manifests the vital principle of free speech in the British Constitution.\(^{137}\)

\(^{136}\) Finer, Samuel, E., n. 90, p. 68.
\(^{137}\) Harvey, J., and Bather, L., n. 106, pp. 154-157.
Ronald Butt observes that,

"the most profound impact an Opposition can make on Parliamentary politics may be when it provides a focus for great national debates on matters which deeply divided or disturb the community."\(^{138}\)

George Burton Adams has described the performance of the Opposition in Parliamentary democracy particularly in Britain as follows:

"A Parliamentary Opposition is as permanent a feature of party government as the organization which is in responsible power. It is the party out of office, with as definite a programme of national policy as that of the party in, a programme which it is trying to persuade the public to adopt, and which if it succeeds, it must assume the responsibility of carrying out. Its function as Opposition is as definite. Its business is to see that the party in power takes no step which has not been thoroughly criticised, to see that it has been compelled to defend its policy from every side, and to prove its advisability under penalty of loss of power. In other words, its function is to prevent the cabinet from becoming too much at ease and careless, and to keep it awake to the danger of any move which has not been well considered."\(^{139}\)

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Britain has a two party system in the sense that the two major parties have won 97 percent of the seats in General Elections since World War II. However, that figure declined slightly to 94.6 percent in the elections after 1970, and fell to 90.6 percent with the 1981 split in the Labour party\textsuperscript{140}. In Britain the Opposition is regarded as an essential part of the Constitution\textsuperscript{141}. In short, the important distinction between the two types of parties, according to Fenton, is that, 

"the people in the traditional parties are active in politics because they want a job, and issues are perceived as tools by which to secure the jobs, whereas the people in the programmatic parties are in politics not for the job as such but because the job is seen as the means of securing the policy goals, they regard as desirable"\textsuperscript{142}

In the words of E.E. Schattschneider:

"The criticism most justly made of American major parties is not that they exhibit a tendency to be alike but rather that the moderate though significant differences between them are often too confused and ill defined to be readily understood"\textsuperscript{143}.

\textsuperscript{140} Andrews, William G., n. 83, p. 1089.
\textsuperscript{141} Jennings, Ivor., n. 23, p. 77.
Clinton Rossiter had explained the major characteristics of the American Political System in the following pattern:

1. the persistence and ascendancy of the two-party scheme,
2. the hard times of minor parties devoted to narrow-gauge interests or broad-scale reform,
3. the loose, supple, interest-directed, principle-shunning, coalition-forming nature of the two major parties,
4. the decentralization of authority in the organization of these parties in the country at large,
5. the absence of effective discipline in the organization of these parties within the government,
6. the encirclement and penetration of the parties by a vigorous array of interest groups and
7. the generally low-key, independent, skeptical approach of most Americans to the business of politics.

The two-party system in United States, perpetuates itself by channeling political conflict into two major outlets, the organization in power and the one out of power. Support for, and Opposition to, the government and what

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144. Rossiter, Clinton, n. 113, p. 37.
it is doing, polarizes around two party groups, under this arrangement citizens who are unhappy about the current state of affairs, not only vote against the present office-holders but also give their support to candidates of the other major party, which serves as the only real political alternative to the party in power.  

Herman Finer in his book "Government of Greater European Powers" rightly pointed out that,  

"America has only one party, Republican-cum-Democratic, divided into two nearly equal halves by habits and the contest for office, the Republican being one half and the Democratic being the other half of the party."  

In the same opinion was expressed by Lord Bryce in his book, "The American Commonwealth" about the two great American Parties as:  

"empty bottles each bearing a label denoting the kind of liquor it claims to contain."  

In the words of the Committee on Political Parties of the American Political Science Association,  

"the American two-party system has shown little propensity for evolving original or creative ideas about public policy; it has even been rather sluggish in responding to such ideas in the public interest."148.

Investigations may be more frequent and more embarrassing to the Chief executive if Congress is controlled by the Opposition party, but a Congressional majority in the hands of the President's own party does not make the administration immune to such inquiries149.

American Parties are non-ideological in both deeds and words. According to Clinton Rossiter,

"the American parties are creatures of compromise, coalitions of interest in which principle is muted and often even silenced. They are vast, gaudy, friendly umbrellas under which all Americans, whoever and wherever and however-minded they may be, are invited to stand for the sake of being counted in the next election."150.

Alexis De Toqueville has described the Ideological basis of the rise of Parties in the early decades of the United States:


150. Rossiter, Clinton, n. 113, p. 11.
"When the War of Independence was terminated and the foundations of the new government were to be laid down, the Nation was divided between two opinions - two opinions which are as old as the world and which are perpetually to be met with, under different forms and various names, in all free communities, the one tending to limit, the other to extend indefinitely, the power of the people. The conflict between these two opinions never assumed that degree of violence in America which it frequently displayed elsewhere. Both parties of the Americans were agreed upon the most essential point, and neither of them had to destroy an old Constitution or overthrow the structure of society in order to triumph.\footnote{Maurice Duverger, an eminent French Political Scientist compares the British and American two-party system in the following words:}

"... In Great Britain organization is based upon a high degree of centralization... but infinitely greater than on the other side of the Atlantic. In the United States the caucuses are very largely independent one of another... but beyond the State there is in practice almost no organization, the powers of national leaders and committees being extremely restricted... Finally that American Parties are founded on no ideological or social bases... that are completely heterogeneous that fundamentally they are simply organizations for the...\footnote{\textit{Alexis De Tocqueville,} \textit{n. 80,} pp. 175-76.}
conquest of administrative and political offices..... which are often more important than the real election, British Parties on the other hand are much nearer to the classic notion of the Political Party".\textsuperscript{152}.

Parliamentary System cannot function without effective control over Party members in Parliament. In American legislative system parties do not matter much as the President enjoys a fixed tenure\textsuperscript{153}. The Opposition Parties under Parliamentary System indulge in unnecessary and baseless criticism of the policies of the government with a view to discredit it in the eyes of the voters\textsuperscript{154}. The British Political Parties, as pointed out by Geoffrey K. Roberts, perform three main functions:

(1) Gaining political power through the electoral and local government spheres.

(2) The preparation of policies which the party seeks in realise when in power.

(3) A group of miscellaneous subsidiary functions which are to some extent instrumental in furthering the first two\textsuperscript{155}.


\textsuperscript{154} Srivastva, S.N., \textit{n. 115}, p. 83.

Robert A. Dahl, an eminent American political scientist, has rightly summarised the normal pattern of Oppositions in the United States as follows:

(A) Oppositions seek limited goals that do not directly challenge the major institutions or the prevailing American System of beliefs.

(B) Oppositions employs a wide variety of strategies; they combine a heavy emphasis on winning Presidential and Congressional elections with an equally heavy emphasis on bargaining logrolling and Pressure-group activities in Policy-making.

(C) Oppositions are not usually very distinctive, they are not even clearly identifiable as Oppositions, they melt into the system.

(D) Oppositions are not combined into a single organization of high cohesion, they usually work through one or both major parties, each of which has rather low internal unity.

(E) Oppositions try to gain their objectives by seeking out encounters with policy makers at a great variety of official sites - Bureaucratic, Congressional, Presidential, Judicial, Local, etc. 156.

S.N. Srivastva has observed the British and American Party System with a comparative outlook in the following patterns:

156. Dahl, Robert, A. (Ed.), n. 9, p. 34.
(i) British Parties is based on certain principles whereas in American Parties there is absence of firmly defined programmes.


(iii) Existence of Spoils system in the American Party System.

(iv) Another peculiar feature of the American Political Parties, unlike the British Parties, is lobbying.157.

K.C. Wheare distinguishes between responsible and non-responsible Opposition. He contends that the responsible type of Opposition is found in the British Parliamentary System and the non-responsible type in the United States Congress. Wheare maintains that a non-responsible Opposition produces unexpected results so far as the effectiveness of criticism is concerned. In the United States, the Congress is the Principal organ for criticising the government. There the Opposition as well as the President's own Party can criticise the government more freely in the expectation that the government will give way or compromise without any fear that the Congress can defeat or dismiss the government. There is Opposition to

the government, and there are people leading such oppositions, but there is no official leader of the Opposition. The Opposition in the United States, as in Britain, is permitted, legal and loyal.\footnote{158}

In Britain, the Leader of the Opposition personifies the two basic functions of "Her Majesty's Loyal Opposition": firstly, he acts as a public watch dog by keeping the actions of the Government under scrutiny, and secondly, he provides an element of choice for the electorate by posing as an alternative Prime Minister at the head of an alternative Government.\footnote{159} In British Parliamentary System, the immediate purpose of Opposition criticism is to check, prevent, and rectify any abuses of which government may be guilty. The ultimate purpose is to replace the party or parties in power by the Opposition, either as the result of a shift in Parliamentary opinion or as the result of a general election which gives the Opposition a majority.\footnote{160}

In the words of Late Clinton Rossiter:

"One of the interesting features of American Political life is the occasional clash of

\footnote{159} Punnett, R.M., \textit{n. l}, p. 77.
personalities between a Strong-minded President and Strong-minded Congressmen, especially Senators of the Opposing party" 161.

E.L. Schattschneider, an eminent American political scientist and an authority on Political Parties has summed up the American Party System in the following words:

"... The American Political System is a classical example of the two-party system... The Democratic and Republican Parties are the largest and most competitive organizations in the American Community. They organize the electorate very simply by maintaining the two-party system .... In 200 years of Constitutional history, Americans have learned much about the way in which the system can be managed so as to make possible the peaceful transfer of power from one party to the other .... As a result, the defeated majority party is able to maintain a monopoly of the Opposition .... The second party is important as long as it can monopolize the movement to overthrow the party in power, because it is certain to come into power, sooner or later. Evidence of the strength of the Opposition is seen in that the losing party has won less than one-third of the seats in the National House only twice in

the fifteen most recent elections and has polled less than 40 per cent of the vote in only one Presidential Election in the past generation.\textsuperscript{162}

The important Political Opposition in Great Britain is voiced by Politicians working within the major Political Parties, other groups in society pursue their demands by patronizing sympathetic Politicians and not by establishing Political groupings of their own\textsuperscript{163}. Although, the United States and Great Britain are similar in being largely urbanized, heavily industrialized and politically stabilized, they are actually integrated around different sets of values. The two best known nineteenth century analyses of the bases of these societies, Tocqueville's "\textit{democracy in America}" and Bagehot's "\textit{The English Constitution}" accurately specify very different organizing principles for each. According to Tocqueville, American democratic society was equalitarian and competitive (achievement-oriented), to Bagehot, Britain was deferential (elitist) and ascriptive\textsuperscript{164}. Finally, under the Parliamentary System of government since the policies and actions of the government are constantly


\textsuperscript{163} McLennan, Barbara, N. (Ed.), p. 30, p. 305.

watched and criticised in the Parliament and outside, there is very remote possibility of government assuming dictatorial powers. The Opposition party also plays an active role in keeping the government under restraint through constant criticism of its policies. On the other hand, under Presidential System since the executive is elected for a fixed term and there is no provision for its removal before the expiry of its normal term, there is every possibility of executive becoming despotic\(^{165}\). In this sense, the Parliamentary government is more responsive and democratic than the Presidential democratic system.