

Democratic Impunity and Development: Investigating Efficacy of Opposition Political Parties in Nigeria and South Africa

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Abstract

This article comparatively examines the efficacy of opposition political parties in constraining democratic impunity and advancing development in Nigeria and South Africa. It proceeds from the proposition that opposition effectiveness cannot be reduced to alternation in executive office. Rather, efficacy includes the capacity to impose electoral costs, activate legislative and judicial accountability, expose abuse, mobilise citizens, influence policy and compel governing elites to justify or reverse decisions. Using a qualitative comparative case-study design, the article analyses constitutional rules, electoral outcomes, parliamentary practice, leading judicial interventions, governance reports and relevant scholarship from the democratic periods of both countries, with particular attention to Nigeria since 1999 and South Africa since 1994. The analysis finds that Nigeria demonstrates the power of opposition coalition-building through the 2015 transfer of presidential power, but also the fragility of that power when opposition parties become fragmented, personalised and vulnerable to defections. South Africa, by contrast, illustrates how opposition can be consequential without immediate national alternation: parliamentary contestation, constitutional litigation, subnational governance and sustained electoral erosion of African National Congress dominance culminated in the 2024 loss of its parliamentary majority and a Government of National Unity. The article argues that democratic impunity declines where opposition strength interacts with credible institutions, civic scrutiny and enforceable legal constraints. Developmental gains are therefore indirect rather than automatic. Stronger programmatic parties, more credible electoral administration, disciplined legislative opposition, transparent political finance and institutional protection against opportunistic party switching are recommended.

Keywords: Accountability, Democracy, Development, Impunity, Opposition parties

1. INTRODUCTION

The endurance of constitutional government in Africa increasingly depends not only on whether elections are held, but on whether public power can be contested, scrutinised and sanctioned between elections. Multiparty constitutions may coexist with a political environment in which incumbents enjoy overwhelming access to state resources, legislatures defer to the executive, anti-corruption institutions act unevenly, electoral competition is distorted, and political elites evade meaningful consequences for misconduct. This article describes that condition as democratic impunity: the recurrent ability of elected or politically connected actors to breach constitutional, electoral, ethical or public-law norms without timely and proportionate political or institutional consequences. The concept does not imply that every violation goes unpunished. Rather, it identifies a structural accountability deficit in which formal democratic institutions exist but the probability of sanction is sufficiently weak to encourage repetition.¹

Opposition political parties are central to the correction of this deficit. In a representative democracy, opposition parties aggregate interests excluded from government, present alternative programmes, interrogate executive conduct, scrutinise budgets, initiate or support investigations, litigate constitutional disputes, mobilise public opinion and, ultimately, offer voters a credible alternative government. Their efficacy is therefore broader than winning elections. A party may lose a presidential or parliamentary contest and still be institutionally effective if it raises the political cost of abuse, compels disclosure, blocks unlawful action, improves legislation, or builds a record of subnational governance that creates a credible future alternative. Conversely, a numerically large opposition may be ineffective where it is fragmented, transactional, internally undemocratic or unable to convert public dissatisfaction into institutional restraint.²

Nigeria and South Africa provide especially useful comparative cases. Both are constitutional, presidentially organised African democracies with influential ruling parties, deep socio-economic inequalities, powerful executives, active courts and civil societies, and long-running public concern about corruption and state performance. Yet their party systems differ substantially. Nigeria's Fourth Republic evolved from prolonged Peoples Democratic Party (PDP) dominance into a historic transfer of presidential power to the All Progressives Congress (APC) in 2015, followed by a new era in which the APC itself became the dominant national governing party. South Africa, by contrast, experienced three decades of African National Congress (ANC) electoral dominance before the ANC fell below a majority in the 2024 national election and entered a Government of National Unity (GNU) with parties that had long operated as opposition actors.³

The comparison is also developmentally important. Nigeria continues to confront widespread poverty, insecurity, infrastructure deficits and weak public-service delivery, while South Africa combines sophisticated institutions and infrastructure with extremely high unemployment, inequality, municipal dysfunction and persistent poverty. Current World Bank assessments emphasise that Nigeria's macroeconomic stabilisation has yet to translate sufficiently into improved living standards, while South Africa's growth remains too weak to produce adequate employment and poverty reduction. These outcomes cannot be attributed mechanically to party competition. They do, however, sharpen the question

¹Guillermo O'Donnell, 'Horizontal Accountability in New Democracies' *Journal of Democracy* (1998) 9(3) 112-126; Andreas Schedler, 'Conceptualizing Accountability' in Andreas Schedler, Larry Diamond and Marc F Plattner (eds), *The Self-Restraining State: Power and Accountability in New Democracies* (Lynne Rienner 1999).

²Robert A Dahl, *Polyarchy: Participation and Opposition* (Yale University Press 1971); Giovanni Sartori, *Parties and Party Systems: A Framework for Analysis* (Cambridge University Press 1976).

³Independent National Electoral Commission, 'Election Results: 2023 Presidential Election' <<https://www.inecnigeria.org/election-results/>> accessed 8 August 2026; Electoral Commission of South Africa, '2024 National and Provincial Election Results' <<https://results.elections.org.za/>> accessed 8 August 2026.

whether more effective opposition can improve the incentives under which governments allocate resources, implement policy and respond to citizens.⁴

The central argument of this article is that opposition parties reduce democratic impunity most effectively when four conditions coincide: organisational coherence, electoral credibility, access to institutions capable of enforcing accountability, and sustained linkage with citizens and civil society. Nigeria demonstrates that coalition-building can produce alternation but that alternation alone does not institutionalise accountability. South Africa demonstrates that opposition influence can accumulate through courts, Parliament, provincial and local government, and electoral attrition until dominant-party rule becomes coalition government. In both countries, opposition efficacy is weakened where parties are personalised, internally unstable, driven by elite defections, or more invested in office-seeking than programmatic competition.

2. CONCEPTUAL AND THEORETICAL FRAMEWORK

2.1 Democratic Impunity

Impunity ordinarily refers to exemption from punishment or the absence of effective consequences for wrongdoing. In democratic politics, the relevant sanction is broader than criminal punishment. It includes electoral defeat, parliamentary censure, removal from office, judicial invalidation, administrative sanction, reputational cost, loss of party support and the reversal of unlawful or abusive policy. Democratic impunity therefore arises when holders of public power can violate norms of accountability while remaining substantially insulated from these consequences. The phenomenon is particularly dangerous because it may operate without formally abolishing elections, courts or legislatures. Institutions remain, but their capacity to restrain office-holders is weakened by partisanship, delay, capture, patronage or the strategic use of legal procedure.

Guillermo O'Donnell's distinction between vertical and horizontal accountability is useful here. Vertical accountability operates principally through citizens, elections, parties, media and collective action, while horizontal accountability is exercised by state institutions legally empowered to investigate, restrain or sanction other state actors. Andreas Schedler similarly conceives accountability as combining answerability, the obligation to explain and justify conduct, with enforcement, the capacity to impose consequences. Democratic impunity can thus be understood as the systematic weakening of either dimension: officials may not be required to answer, or they may answer without meaningful enforcement.⁵

In presidential systems, the danger is intensified where executive power is personalised and party majorities treat legislative oversight as disloyalty. Nicolas van de Walle's account of presidentialism and clientelism in emerging African party systems remains relevant: political competition may be organised less around durable policy programmes than around access to executive-controlled resources. Where governing parties distribute patronage and opposition elites anticipate future access to the same system, opposition can become transactional rather than adversarial in the constitutional sense. Defection then functions not merely as ideological realignment but as a mechanism through which the governing party can absorb challengers and dilute legislative checks.⁶

2.2 Opposition Political Parties and Efficacy

Political opposition is an indispensable component of what Robert Dahl described as contestation within polyarchy. Democracy requires institutionalised uncertainty: incumbents must face a genuine possibility of

⁴World Bank, 'Nigeria' <<https://www.worldbank.org/ext/en/country/nigeria>> accessed 8 August 2026; World Bank, 'South Africa' <<https://www.worldbank.org/ext/en/country/southafrica>> accessed 8 August 2026.

⁵Schedler (n 2).

⁶Nicolas van de Walle, 'Presidentialism and Clientelism in Africa's Emerging Party Systems' *Journal of Modern African Studies* (2003) 41(2) 297-321.

losing office and citizens must be able to organise alternatives. Giovanni Sartori's work on party systems likewise demonstrates that parties acquire systemic meaning through patterns of competition and interaction, not merely through their formal registration. An opposition party is therefore effective to the extent that it changes the incentives, choices or behaviour of governing actors and improves the availability of a credible alternative.^{7, 8}

For purposes of this article, opposition efficacy is assessed through six interrelated dimensions. The first is electoral efficacy: the capacity to win votes and seats, protect those votes, expand territorial reach and make alternation plausible. The second is legislative efficacy: the ability to scrutinise executive action, question ministers, influence committees, shape bills and budgets, and create public records of accountability. The third is legal-institutional efficacy: the strategic use of courts, electoral tribunals, ombuds institutions and other oversight bodies. The fourth is mobilisational efficacy: the capacity to connect institutional opposition with citizens, media, unions, professional groups and civil society. The fifth is policy efficacy: the ability to influence the content, implementation or reversal of policy even without controlling the executive. The sixth is governing credibility: the capacity to demonstrate competent administration where an opposition party controls a state, province, municipality or legislature.

2.3 Development as an Accountability Outcome

Development in this article is understood in a broad institutional and socio-economic sense: the expansion of human welfare through sustained growth, employment, poverty reduction, security, infrastructure, education, health, equitable opportunity and capable public institutions. The connection between opposition and development is indirect. Opposition parties do not generate development merely by opposing. Indeed, obstruction, misinformation or unstable coalition politics can damage policy implementation. The relevant mechanism is accountability: where governments expect credible scrutiny and electoral sanction, they have stronger incentives to explain policy, limit predation, correct failure and direct public resources towards visible public goods.

2.4 Theoretical Framework: Accountability and Dominant-Party Competition

The article combines accountability theory with dominant-party system analysis. The accountability framework asks whether opposition actors can generate answerability and enforcement. Dominant-party analysis asks how prolonged control of the state affects those capacities. A dominant party is not necessarily authoritarian. It may repeatedly win genuinely competitive elections. The democratic problem arises when electoral preponderance becomes intertwined with state resources, institutional deference, weak party alternation and the expectation that the governing party is the natural or permanent repository of public authority.

South African scholarship has long debated whether ANC dominance strengthened stability or weakened the competitive edge of democracy. Roger Southall warned that dominant-party systems can erode the distinction between party and state and reduce effective oversight, while Susan Booysen documented the multiple ways in which the ANC reproduced political power through organisation, elections, state institutions and social linkages. Nigeria's experience differs because national dominance shifted from the PDP to the APC. Nevertheless, the recurring pattern of elite migration towards the governing party suggests a form of incumbent-centred dominance even when the identity of the dominant party changes.⁹

⁷Sartori (n 3). Staffan I Lindberg, *Democracy and Elections in Africa* (Johns Hopkins University Press 2006); Nic Cheeseman, *Democracy in Africa: Successes, Failures, and the Struggle for Political Reform* (Cambridge University Press 2015).

⁸Dahl (n 3).

⁹Roger Southall, 'The Dominant Party Debate in South Africa' *Africa Spectrum* (2005) 40(1) 61-82; Susan Booysen, *The African National Congress and the Regeneration of Political Power* (Wits University Press 2011).

3. METHODOLOGY

The study adopts a qualitative comparative case-study design. Nigeria and South Africa are selected because they are large African democracies whose political trajectories permit comparison across distinct electoral and party-system arrangements. Nigeria uses a presidential system with single-member constituencies for the National Assembly and a majoritarian-distributive formula for presidential election, while South Africa uses a parliamentary-selected president within a constitutional system whose National Assembly is elected largely through proportional representation. Both systems create different incentives for party cohesion, coalition-building, geographic reach and legislative opposition.

The temporal focus is the contemporary democratic period: 1999 to 2026 for Nigeria and 1994 to 2026 for South Africa. Particular emphasis is placed on turning points: Nigeria's 2015 alternation, the 2023 presidential election and subsequent opposition fragmentation; South Africa's constitutional-accountability conflicts during the Zuma era, the gradual decline of ANC electoral support, the 2024 election and the subsequent GNU. The article relies on constitutional and statutory materials, official electoral results, parliamentary and court materials, governance reports, development assessments, and secondary scholarly literature. The method is primarily doctrinal and interpretive, supplemented by descriptive comparison of electoral and institutional trends.

4. DEMOCRATIC IMPUNITY AND OPPOSITION EFFICACY IN NIGERIA

4.1 Evolution of the Fourth Republic and Party Competition

Nigeria's Fourth Republic began in 1999 after prolonged military rule. The 1999 Constitution established a federal presidential system, a bicameral National Assembly and a justiciable framework of political rights. Political parties became the principal vehicles for elective office, while the Independent National Electoral Commission (INEC) was assigned responsibility for organising elections. The PDP rapidly became the dominant national party, winning the presidency in 1999, 2003, 2007 and 2011 and maintaining extensive control across federal and state institutions.¹⁰

The PDP's dominance was never absolute. Opposition parties controlled important states and periodically challenged presidential and legislative outcomes. Yet the opposition was fragmented among formations such as the Alliance for Democracy and its successors, the All Nigeria Peoples Party, the Action Congress of Nigeria and the Congress for Progressive Change. Fragmentation mattered because Nigeria's presidential electoral rules reward both plurality and broad territorial distribution. An opposition incapable of coordinating elite networks, regional bases and voter coalitions faced a structural disadvantage against a governing party with nationwide organisation and incumbency resources.

4.2 The 2015 Alternation: High Point of Opposition Coalition Efficacy

The formation of the APC in 2013 altered the structure of competition. The party brought together major opposition parties and a faction of the governing PDP, combining regional strongholds, organisational networks and elite resources. This coalition addressed the principal strategic weakness of earlier opposition politics: dispersed votes among parties that separately lacked a viable nationwide route to the presidency.

¹⁰Constitution of the Federal Republic of Nigeria 1999 (as amended), ss 40, 65-79, 130-146 and 221-229; Electoral Act 2022.

Richard A Joseph, *Democracy and Prebendal Politics in Nigeria: The Rise and Fall of the Second Republic* (Cambridge University Press 1987). Larry Diamond, *Class, Ethnicity and Democracy in Nigeria: The Failure of the First Republic* (Syracuse University Press 1988); Eghosa E Osaghae, *Crippled Giant: Nigeria Since Independence* (Indiana University Press 1998); Rotimi T Suberu, *Federalism and Ethnic Conflict in Nigeria* (United States Institute of Peace Press 2001).

In 2015, Muhammadu Buhari defeated incumbent President Goodluck Jonathan, producing Nigeria's first transfer of presidential power from one political party to another through the ballot box.¹¹

The democratic significance of 2015 went beyond the identity of the winner. It demonstrated that an incumbent federal government could lose, that opposition cooperation could overcome entrenched advantage, and that electoral defeat could be accepted without a constitutional breakdown. In accountability terms, alternation increased the credibility of vertical sanction. It also supplied a powerful lesson for opposition strategy: organisational merger, elite coordination and a broad electoral coalition can matter more than the mere number of registered parties.

However, 2015 also exposes the limits of measuring efficacy by alternation alone. Once the APC became the governing party, many structural characteristics of Nigerian party politics persisted: defections, weak ideological differentiation, executive influence over legislative politics and recurrent disputes over electoral administration. A democracy is not consolidated merely because the opposition becomes government; it is consolidated when the new government accepts the same constraints it demanded while in opposition. The Nigerian experience therefore suggests that opposition victory can rotate access to power without necessarily transforming the institutions through which power is held accountable.

4.3 The 2023 Election and the Cost of Opposition Fragmentation

The 2023 presidential election produced a markedly plural contest. According to INEC's declared results, APC candidate Bola Ahmed Tinubu won 8,794,726 votes, while Atiku Abubakar of the PDP won 6,984,520 and Peter Obi of the Labour Party won 6,101,533; Rabi'u Musa Kwankwaso of the New Nigeria Peoples Party also secured a significant regional vote. The combined support for major opposition candidates exceeded the winner's total, although simple aggregation cannot establish that votes would have transferred automatically under a unified ticket. The result nonetheless demonstrates the strategic cost of a fragmented opposition under plurality-based presidential competition.¹²

The election also revealed an important transformation in Nigeria's electoral sociology. The Labour Party, historically minor at the presidential level, became nationally consequential through the mobilisation associated with Peter Obi, particularly among younger, urban and digitally connected voters. This showed that electoral competition can be disrupted by new coalitions even outside the two largest parties. Yet such mobilisation was not matched by equivalent organisational depth across all constituencies and institutions. Opposition efficacy requires more than enthusiasm around a presidential candidate; it requires durable party branches, trained agents, legislative candidates, dispute-resolution mechanisms and local presence.

Opposition candidates challenged the presidential outcome through the courts, demonstrating the continuing importance of legal contestation. Judicial review is an essential accountability mechanism, but litigation after elections cannot substitute for institutional credibility before and during voting. Where large segments of the electorate distrust electoral administration, even legally final judgments may not fully restore political legitimacy. Freedom House's 2025 assessment of Nigeria continued to describe corruption as pervasive and the National Assembly as a weak check on executive authority, illustrating that electoral competition coexists with substantial horizontal-accountability deficits.¹³

¹¹Independent National Electoral Commission, official results of the 2015 Presidential Election; see also Nic Cheeseman, *Democracy in Africa: Successes, Failures, and the Struggle for Political Reform* (Cambridge University Press 2015) on electoral competition and alternation in African democracies.

¹²Independent National Electoral Commission, 'Election Results: 2023 Presidential Election' <<https://www.inecnigeria.org/election-results/>> accessed 8 August 2026. INEC declared Bola Ahmed Tinubu winner with 8,794,726 votes; Atiku Abubakar received 6,984,520 votes and Peter Obi 6,101,533 votes.

¹³Freedom House, 'Freedom in the World 2025: Nigeria' <<https://freedomhouse.org/country/nigeria/freedom-world/2025>> accessed 8 August 2026.

4.4 Legislative Opposition, Defections and Executive Dominance

The National Assembly is constitutionally empowered to legislate appropriate funds, investigate public expenditure, confirm appointments and exercise oversight over the executive. In principle, opposition parties can use committees, plenary debate, motions and investigations to expose abuse. In practice, legislative opposition has often been weakened by cross-party elite accommodation, party switching and the numerical strength of the governing party. The constitutional rules on defection are intended to discourage opportunistic switching by legislators, but litigation and political practice have not eliminated the phenomenon. In *Abegunde v Ondo State House of Assembly*, the Supreme Court affirmed that a legislator who defects without the constitutionally contemplated division in the sponsoring party risks losing the seat.¹⁴

Despite that rule, defections remain a recurring feature of Nigerian politics. Their accountability effect is serious. A legislator elected on an opposition platform may become part of the governing majority without a fresh electoral mandate, thereby altering the balance of legislative power between general elections. The problem is not that changing party affiliation should be impossible in every circumstance. It is that routine, elite-driven switching can deprive voters of the partisan choice they made and can create incentives for incumbents to expand dominance through absorption rather than persuasion.

By 2025 and 2026, public debate increasingly centred on the movement of governors and federal legislators from opposition parties to the APC and on fears of a drift towards one-party dominance. The presidency denied any intention to establish a one-party state, while opposition figures argued that the pattern was shrinking competitive space. From an institutional perspective, the crucial issue is less the motive behind each defection than the cumulative consequence: when opposition caucuses lose members continuously to the governing party, parliamentary scrutiny becomes less credible and the prospect of sanctioning executive misconduct decreases.¹⁵

4.5 Opposition Coalition-Building after 2023

The response to fragmentation was renewed coalition-building. In 2025 prominent opposition leaders unveiled a coalition around the African Democratic Congress (ADC) with the stated objective of challenging the APC in the 2027 election and preventing one-party dominance. The development echoed the coalition logic that produced the APC before 2015. Yet coalition formation is only the first stage of efficacy. A viable opposition alliance must resolve candidate selection, leadership hierarchy, resource mobilisation, regional balancing, internal democracy and a common policy programme.¹⁶

Events in 2026 underscored this fragility. Reuters reported that key figures withdrew from an opposition alliance amid internal disputes, illustrating the difficulty of converting shared dissatisfaction with an incumbent into a stable alternative organisation. Such instability supports a wider argument about Nigerian opposition politics: elite coordination often intensifies as an election approaches but remains vulnerable to personal ambition and mistrust. Without institutionalised procedures for choosing candidates and distributing authority, coalition politics can reproduce the same personalised incentives it seeks to overcome.¹⁷

¹⁴*Abegunde v Ondo State House of Assembly* [2015] 8 NWLR (Pt 1461) 314.

¹⁵Associated Press, 'Nigerian leader denies one-party plan after he's accused of clamping down on opposition' (12 June 2025) <<https://apnews.com/>> accessed 8 August 2026.

¹⁶Associated Press, 'Nigeria's opposition leaders form alliance in effort to unseat the ruling party in 2027' (2 July 2025) <<https://apnews.com/>> accessed 8 August 2026.

¹⁷Reuters, 'Nigeria opposition alliance falters as two leading figures quit, clouding 2027 unity push' (5 May 2026) <<https://www.reuters.com/>> accessed 8 August 2026.

4.6 Opposition, Civil Society and the Media

Nigeria's opposition parties operate within a wider accountability ecosystem that includes investigative journalism, professional associations, civic-technology organisations, labour unions, social movements and anti-corruption bodies. This ecosystem can compensate partly for weak parliamentary opposition by producing information, monitoring elections and mobilising citizens. The 2020 EndSARS protests, although not a party project, demonstrated the capacity of decentralised civic mobilisation to force national attention onto state accountability. Electoral monitoring initiatives have likewise increased public access to polling information and procedural critique.

4.7 Democratic Impunity and Developmental Consequences in Nigeria

The developmental cost of accountability failure in Nigeria is visible in the recurrent gap between public resources and public outcomes. Oil wealth, large domestic markets and entrepreneurial capacity coexist with inadequate infrastructure, insecurity, unemployment and poverty. The World Bank's 2026 diagnostic estimated that the share of Nigerians below the national poverty line had risen sharply and stressed the need for broad-based growth and stronger public institutions. These challenges have multiple causes, but weak accountability can magnify them through inefficient expenditure, procurement abuse, policy discontinuity and low trust.¹⁸

Opposition parties can contribute to development by making these failures politically costly. They can publish alternative budgets, track constituency projects, challenge opaque borrowing, demand performance data, protect whistle-blowers, and turn service-delivery failures into concrete legislative and electoral issues. Yet this developmental role remains underdeveloped where opposition discourse focuses overwhelmingly on personalities, election litigation and elite coalition permutations. A more effective opposition would compete not only over who governs, but over measurable commitments regarding electricity, education, health, security, jobs and fiscal transparency.

5. DEMOCRATIC IMPUNITY AND OPPOSITION EFFICACY IN SOUTH AFRICA

5.1 ANC Dominance and the Democratic Paradox

South Africa's 1994 democratic transition produced one of the world's most progressive constitutional orders and an electoral system designed to ensure broad representation. The ANC, drawing legitimacy from the anti-apartheid struggle and a powerful nationwide organisation, won every national election from 1994 to 2019 with comfortable pluralities or majorities. Proportional representation ensured that opposition parties were represented in Parliament, but the ANC's sustained majority meant that alternation at national level appeared remote for three decades.¹⁹

5.2 Parliamentary and Judicial Opposition during the Zuma Era

South African opposition parties developed a comparatively sophisticated repertoire of parliamentary and judicial strategies. The Democratic Alliance (DA), as the long-standing official opposition, used parliamentary questions, committee processes, public-interest litigation and media engagement to challenge executive conduct. The Economic Freedom Fighters (EFF), founded in 2013, added a more confrontational style of parliamentary opposition and direct mobilisation. Although these parties differed sharply in ideology, they sometimes converged around institutional accountability.

¹⁸World Bank, Nigeria Streamlined Country Diagnostic (2026) <<https://documents.worldbank.org/>> accessed 8 August 2026. Southall (n 12); Booysen (n 12).

¹⁹Constitution of the Republic of South Africa 1996, ss 1, 19, 42-57 and 83-102; Tom Lodge, *Politics in South Africa: From Mandela to Mbeki* (James Currey 2003). Southall (n 12); Booysen (n 12).

The Nkandla controversy became a defining example. The Public Protector found that President Jacob Zuma had benefited improperly from aspects of state-funded improvements to his private residence. When the National Assembly adopted a position that effectively shielded the President from the remedial consequences, the EFF and DA litigated. In *Economic Freedom Fighters v Speaker of the National Assembly*; *Democratic Alliance v Speaker of the National Assembly*, the Constitutional Court held that the President had failed to uphold, defend and respect the Constitution and that the National Assembly had failed in its constitutional obligations.²⁰

The importance of the judgment extends beyond the specific dispute. It demonstrates how opposition efficacy can arise from the interaction of parties with independent institutions. The opposition did not possess the parliamentary numbers to compel compliance on its own. It used the Public Protector's findings and constitutional litigation to activate horizontal accountability. The Court supplied enforceable legal authority, while parties and media translated the judgment into political cost. This is a model of institutional opposition that is less dependent on immediate electoral victory.

The Constitutional Court's jurisprudence also reinforced Parliament's accountability role in disputes over no-confidence procedures. In *United Democratic Movement v Speaker of the National Assembly*, the Court confirmed that the Speaker had the constitutional power to permit a secret ballot in a motion of no confidence, requiring the decision to be taken rationally in light of the circumstances. The case illustrates another way opposition can alter institutional practice by clarifying the conditions under which majority-party discipline may be balanced against constitutional accountability.²¹

5.3 State Capture, Opposition Pressure and Institutional Resilience

The period associated with 'state capture' tested South Africa's accountability architecture severely. Allegations concerned the manipulation of public appointments, state-owned enterprises and procurement networks for private and factional advantage. Opposition parties alone did not expose or resolve the crisis. Investigative journalists, civil society organisations, courts, public officials and commissions of inquiry were indispensable. Nevertheless, opposition parties helped sustain political attention, pursue litigation and convert institutional findings into electoral arguments.

The later contempt proceedings involving former President Zuma again demonstrated the capacity of the Constitutional Court to impose consequences even on a former head of state. In *Secretary of the Judicial Commission of Inquiry into Allegations of State Capture v Zuma*, the Court found Zuma guilty of contempt for failing to comply with an order to appear before the Commission and imposed a term of imprisonment. The case is significant to democratic impunity because it embodies the principle that high office does not create legal immunity from constitutional process.²²

At the same time, the state-capture period exposed the limits of formal institutions when political appointments, party factionalism and administrative weakness undermine enforcement. Opposition efficacy depended on institutional allies that remained sufficiently independent to act. The South African case therefore confirms the article's theoretical claim: opposition parties are most effective when embedded in an accountability network rather than operating as isolated electoral organisations.

²⁰*Economic Freedom Fighters v Speaker of the National Assembly and Others; Democratic Alliance v Speaker of the National Assembly and Others* [2016] ZACC 11, 2016 (3) SA 580 (CC).

²¹*United Democratic Movement v Speaker of the National Assembly and Others* [2017] ZACC 21, 2017 (5) SA 300 (CC).

²²*Secretary of the Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State v Zuma* [2021] ZACC 18, 2021 (5) SA 327 (CC).

5.4 Subnational Governance and Opposition Credibility

The DA's control of the Western Cape and the City of Cape Town provided an additional source of opposition efficacy: governing credibility. In a dominant-party system, opposition faces a credibility barrier because citizens may doubt whether an alternative can administer the state. A subnational government allows an opposition party to demonstrate administrative competence, build policy records and generate comparative claims about service delivery. Such claims remain politically contested and are shaped by South Africa's deep spatial and racial inequalities, but the institutional principle is important: opposition can accumulate national credibility by governing effectively where it wins locally.

5.5 The 2024 Election and the End of ANC Parliamentary Majority

The 2024 national and provincial elections represented the most consequential change in South Africa's party system since 1994. The ANC received about 40.18 per cent of the national vote and won 159 of 400 National Assembly seats, losing the parliamentary majority it had held for thirty years. The DA secured 87 seats, the newly formed uMkhonto weSizwe (MK) Party 58, the EFF 39 and the Inkatha Freedom Party 17. The election converted gradual electoral decline into a structural change: no party could govern nationally alone.²³

The loss of majority was itself a form of vertical accountability. Voters did not remove the ANC from government entirely, but they removed its unilateral legislative control. The resulting GNU brought the ANC together with the DA and several smaller parties. By late 2025 the Presidency described ten parties as constituting the GNU. This arrangement complicates the concept of opposition. The DA, historically the principal opposition, became a governing coalition partner while continuing to differentiate itself publicly from the ANC and, in some instances, challenge government policy through litigation.²⁴

The hybrid character of the GNU is especially important for assessing efficacy. Once an opposition party enters government, it gains direct policy influence but loses some of the institutional distance associated with opposition. It must share responsibility for collective government outcomes while retaining a distinct electoral identity. In 2026 the DA pursued litigation against the Expropriation Act even while remaining part of the governing coalition, illustrating a model of 'governing opposition' in which coalition partners cooperate on executive administration yet contest major legal and ideological questions.²⁵

5.6 Democratic Accountability and Development in South Africa

South Africa's development challenges are severe despite its stronger institutional capacity. The World Bank reports that economic growth remained too weak to materially improve employment and poverty outcomes, with unemployment above 30 per cent in 2025 and a large share of the population living below the upper-middle-income poverty line. Afrobarometer has also documented a steep long-term decline in satisfaction with democracy and support for democracy in South Africa amid perceptions of corruption and poor government performance. These trends indicate that constitutional sophistication alone cannot sustain democratic legitimacy when material outcomes deteriorate.^{26, 27}

²³Parliament of the Republic of South Africa, 'National Assembly: Political Party Representation'

<<https://www.parliament.gov.za/national-assembly>> accessed 8 August 2026; Electoral Commission of South Africa, 2024 National and Provincial Election Results.

²⁴The Presidency, Republic of South Africa, 'Presidency of leaders of the parties to the Government of National Unity' (3 November 2025) <<https://www.gov.za/>> accessed 8 August 2026.

²⁵ Reuters, 'South African coalition party goes to court over law that angered Trump' (3 August 2026) <<https://www.reuters.com/>> accessed 8 August 2026.

²⁶ Afrobarometer, Democracy at Risk - The People's Perspective (Flagship Report 2024) <<https://www.afrobarometer.org/>> accessed 8 August 2026.

²⁷ World Bank, 'South Africa' <<https://www.worldbank.org/ext/en/country/southafrica>> accessed 8 August 2026.

Opposition pressure contributed to placing electricity shortages, corruption, crime, municipal decline and unemployment at the centre of electoral competition. The ANC's loss of majority increased incentives for policy negotiation and reduced the ability of a single party to legislate without coalition support. Yet the coalition government is not inherently developmental. Its contribution will depend on whether bargaining produces clearer priorities, administrative reform and credible oversight rather than policy paralysis. The developmental test of the post-2024 order is therefore whether competition becomes a mechanism for better government rather than simply a redistribution of offices.

6. COMPARATIVE ANALYSIS: NIGERIA AND SOUTH AFRICA

6.1 Electoral Systems and the Structure of Opposition Opportunity

The two countries' electoral systems shape opposition strategy differently. Nigeria's presidential election rewards the construction of a broad territorial coalition around a single candidate. Fragmentation among opposition presidential candidates can therefore be costly, as demonstrated in 2023. Legislative elections in single-member constituencies also encourage strong local candidates and can generate geographically uneven party representation. South Africa's proportional system, by contrast, allows multiple opposition parties to secure parliamentary seats without coordinating behind a single national candidate. This lowers barriers to representation but can sustain fragmentation because smaller parties do not need to merge to survive.

These differences explain why coalition-building in Nigeria often occurs before elections while coalition-building in South Africa increasingly occurs after elections. The APC's formation before 2015 was designed to aggregate votes necessary to defeat an incumbent president. South Africa's 2024 GNU emerged because proportional election results denied every party a majority. Neither model is automatically superior. Pre-electoral coalitions can offer voters a clearer governing alternative but may suppress ideological differences until after victory. Post-electoral coalitions preserve party identities but can produce bargaining that voters did not fully anticipate.

6.2 Electoral Alternation versus Institutional Opposition

Nigeria achieved national alternation in 2015 nine years before South Africa lost single-party majority control. On a narrow measure of opposition success, Nigeria might therefore appear more competitive. Yet South Africa's opposition was often more effective in judicial and parliamentary accountability before alternation became plausible. The Nkandla litigation is a clear example: opposition parties lacking a parliamentary majority secured a binding constitutional judgment against a sitting president and the National Assembly. Nigeria's opposition has also used courts extensively, especially in electoral disputes, but the broader legislative check on executive authority remains comparatively weak.

6.3 Party Institutionalisation, Ideology and Defection

Nigeria's party system is characterised by greater elite mobility across party lines. Parties frequently function as coalitions of office-seeking networks with limited ideological differentiation. This weakens opposition continuity because today's critic may become tomorrow's governing-party member without a substantial policy transition. South African parties, although not immune to factionalism or realignment, have historically possessed clearer ideological and organisational identities, particularly across the ANC, DA and EFF. That relative institutionalisation has made parliamentary opposition more legible to voters.

The rise of MK, however, shows that South Africa is also vulnerable to personality-centred realignment. The party's rapid emergence under former President Jacob Zuma transformed KwaZulu-Natal politics and contributed significantly to the ANC's 2024 losses. The comparison therefore suggests that party institutionalisation is not a fixed national trait. It must be continually reproduced through internal

democracy, transparent financing, leadership succession, membership structures and policy coherence.

6.4 Courts and Independent Institutions

South Africa's Constitutional Court and Public Protector have played unusually visible roles in enabling opposition accountability. Nigeria's courts are also constitutionally central, particularly in electoral and federal disputes, but election-related litigation often places the judiciary in the difficult position of resolving political contests after contested administrative processes. Opposition effectiveness improves when courts are one element of a wider system rather than the primary arena through which losers seek to reverse electoral outcomes.

The broader lesson is that opposition parties require institutions capable of converting claims into consequences. Parliamentary questions without access to information are weak; anti-corruption allegations without independent investigation become rhetoric; court judgments without enforcement lose authority. Democratic impunity is therefore not defeated by partisan competition alone. It is defeated when partisan contestation activates institutions whose legitimacy does not depend entirely on which party is in power.

6.5 Civil Society, Media and Citizen Linkages

Afrobarometer's continental findings are relevant: citizens continue to value elections and accountability but often express low trust in electoral institutions and dissatisfaction with democratic performance. Opposition parties that merely amplify cynicism may weaken democratic legitimacy. Effective opposition should distinguish criticism of incumbents from rejection of institutions, demanding reform while reinforcing the principle that political conflict must remain constitutional and non-violent.²⁸

6.6 Democratic Impunity and Development: Comparative Assessment

The comparison supports a qualified relationship between opposition efficacy and development. In both countries, stronger opposition can increase transparency, force policy debate and make poor performance electorally salient. South Africa's 2024 result transformed electricity, corruption, unemployment and service delivery from issues a dominant party could manage largely internally into matters requiring inter-party negotiation. Nigeria's 2015 election similarly demonstrated that dissatisfaction with insecurity, corruption and governance could contribute to incumbent defeat. These moments strengthen the prospective electoral cost of non-performance.

However, stronger opposition does not guarantee better development. Nigeria's post-2015 experience shows that an opposition victory can be followed by persistent governance problems. South Africa's unstable municipal coalitions show that fragmentation can undermine service delivery even when dominance is reduced. The key variable is therefore accountable competition: opposition must be capable of constraining government while also presenting administratively credible alternatives. Development is most likely to benefit where competition rewards competence and integrity rather than merely the ability to assemble a winning elite coalition.

7. FINDINGS

First, opposition efficacy is multidimensional. The Nigerian and South African cases demonstrate that electoral victory is only one form of effectiveness. Nigeria's 2015 alternation was a major democratic achievement, but South African opposition parties achieved consequential accountability through litigation and parliamentary action long before national alternation became possible. A rigorous assessment must therefore examine electoral, legislative, legal, mobilisational, policy and governing dimensions.

²⁸Afrobarometer, 'Africans want elections but don't trust electoral management bodies to ensure they're free and fair' Dispatch No 1128 (9 February 2026) <<https://www.afrobarometer.org/>> accessed 8 August 2026.

Second, coalition-building is effective only when it becomes institutionalised. Nigeria's 2015 experience shows the power of pre-electoral unity; the fragmentation of 2023 and subsequent instability of opposition alliances show the cost of weak internal rules. South Africa's GNU demonstrates the converse challenge: post-electoral coalition can constrain single-party dominance but can blur responsibility and create policy conflict. In both settings, coalition agreements need transparent rules, programmatic minimums and credible dispute-resolution procedures.

Third, party switching and weak ideological institutionalisation are major sources of democratic impunity in Nigeria. Frequent defection reduces the durability of the opposition mandate and enables governing parties to expand legislative dominance between elections. South Africa has experienced defections and factional splits, but opposition identities have generally been more stable. The emergence of MK nevertheless shows that personality-centred realignment can also disrupt South African party institutionalisation.

Fourth, independent institutions multiply opposition efficacy. The South African cases concerning Nkandla, parliamentary accountability and state-capture processes show that opposition becomes more consequential when courts, ombuds institutions, commissions and media can act independently. Nigeria's accountability deficit is aggravated where the legislature is perceived as deferential to the executive and where anti-corruption enforcement is politically contested. Opposition reform should therefore focus as much on protecting institutions as on winning office.

Fifth, the relationship between opposition and development is mediated by governance quality. Competitive politics creates incentives to respond, but development improves only where opposition converts criticism into policy alternatives and where governing institutions can implement decisions. The clearest developmental contribution of the opposition is therefore to make corruption, waste and service failure visible and sanctionable while presenting credible alternatives on jobs, infrastructure, security, education, health and social protection.

Sixth, the two countries may be converging towards more fragmented party systems, though from different starting points. Nigeria moved from PDP dominance to APC-led competition but now confronts renewed concerns about governing-party concentration alongside volatile opposition coalitions. South Africa moved from ANC dominance to coalition government. This convergence increases the importance of rules governing coalitions, party finance, floor-crossing or defection, legislative procedure and public access to information.

8. RECOMMENDATIONS

8.1 Strengthen Internal Party Democracy and Programmatic Competition

Opposition parties in both countries should institutionalise candidate selection, leadership succession and policy development. Internal democracy is not merely an organisational virtue; it is a source of public credibility. Parties that criticise executive arbitrariness while selecting their own leaders through opaque processes reproduce the political culture they claim to oppose. Clear constitutions, membership registers, internal appeals and published policy platforms can reduce personality-centred conflict and make coalition negotiations more predictable.

8.2 Protect the Integrity and Independence of Electoral Administration

Electoral management bodies must be insulated from partisan pressure and must communicate procedures transparently. In Nigeria, technological reforms should be accompanied by clear legal rules, realistic implementation capacity and timely public access to results. In South Africa, the credibility of the Electoral Commission should be protected as competition becomes more fragmented. Opposition parties

should invest in trained agents and lawful monitoring rather than relying primarily on post-election litigation.

8.3 Make Legislative Opposition More Professional

Opposition caucuses should build permanent policy and research units capable of analysing budgets, bills, procurement, appointments and audit findings. Parliamentary opposition is most effective when criticism is evidence-based and sustained beyond headline controversies. Committee positions should be used strategically, and opposition parties should publish accessible scorecards showing the issues they raised, the information obtained and the government responses secured.

8.4 Reform the Incentives around Defection and Coalition Government

Nigeria should enforce constitutional rules on legislative defection consistently and consider procedural reforms that protect the electoral mandate from opportunistic switching while preserving legitimate freedom of association in genuine cases of party division. South Africa's coalition era requires clear public coalition agreements setting out policy priorities, allocation of responsibilities, mechanisms for resolving disputes and conditions for withdrawal. Similar standards should apply to municipal coalitions, where instability directly affects service delivery.

8.5 Strengthen Political Finance Transparency

The ability of governing parties to leverage access to wealthy donors, state-linked networks or opaque campaign finance can weaken equal competition. Disclosure rules should be enforceable, searchable and timely. Public procurement should be protected from political financing networks, while opposition parties should publish audited accounts and demonstrate the transparency they demand from the government. In South Africa, existing political-funding disclosure mechanisms should be defended and refined; in Nigeria, enforcement and disclosure should be deepened to make campaign resources less opaque.

8.6 Build Opposition-Civil Society Accountability Coalitions

Parties should maintain structured but non-dominating relationships with civil society, professional bodies, universities, media organisations and community groups. Civic evidence on budgets, elections, corruption and service delivery should be translated into parliamentary questions, litigation and policy proposals. Such partnerships must preserve civil-society independence; otherwise civic organisations risk becoming partisan extensions rather than public accountability institutions.

8.7 Link Opposition Politics to Measurable Development Commitments

Opposition manifestos should move from broad promises to measurable, cost commitments. Parties should state targets for electricity reliability, employment, school completion, primary health, security response, housing, municipal services and poverty reduction, and should explain how programmes will be financed. Where opposition parties already govern states, provinces or municipalities, their performance should be independently evaluated. This allows citizens to compare governing records rather than personalities.

8.8 Defend Courts and Independent Oversight Institutions

Opposition parties should adopt a consistent institutional principle: independent courts, audit institutions, anti-corruption bodies and ombuds structures should be defended even when their decisions are politically inconvenient. Selective support undermines credibility. South Africa's accountability jurisprudence illustrates how these institutions can restrain political impunity; Nigeria's constitutional democracy similarly requires opposition parties to advocate appointments, funding and enforcement arrangements that preserve institutional autonomy.

9. CONCLUSION

Democracy becomes vulnerable when elections are regular but consequences for abuse are irregular. The central democratic value of opposition political parties lies in their capacity to prevent that condition from becoming normal. This article has argued that opposition efficacy should be measured not solely by the capture of executive office but by the capacity to generate answerability, enforcement, policy competition and a credible alternative government. On that broader measure, Nigeria and South Africa offer contrasting but complementary lessons.

Nigeria demonstrates that opposition unity can defeat an entrenched governing party. The 2015 transfer of power remains a landmark in African electoral democracy. Yet the subsequent persistence of executive dominance, elite defection, weak ideological differentiation and fragmented opposition shows that alternation does not by itself eliminate democratic impunity. The challenge is to transform episodic coalitions into institutionalised parties capable of sustained legislative, policy and civic opposition.

South Africa demonstrates the cumulative power of institutional opposition. For decades the ANC's national majority made alternation unlikely, but opposition parties used Parliament, courts, provincial and municipal government, media engagement and public mobilisation to constrain power and build alternatives. The 2024 election finally removed the ANC's unilateral parliamentary majority. The GNU that followed represents both an accountability achievement and a new democratic test: former opposition parties now share responsibility for government, while parties outside the GNU must provide scrutiny in an increasingly fragmented system.

The developmental implication is equally clear. Opposition does not produce development automatically, and competitive fragmentation can itself generate instability. What matters is accountable competition: governments must know that corruption, incompetence and policy failure can trigger institutional and electoral consequences, while citizens must be able to identify credible alternatives. Strong opposition, independent institutions and informed civic participation are therefore mutually reinforcing. Where these elements interact, democratic impunity becomes more costly and development-oriented governance becomes more likely. Where they remain disconnected, elections may change office-holders without changing the underlying incentives of power.

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