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THE INCUMBENCY FACTOR IN NIGERIAN ELECTIONS: A POST-FACT ANALYSIS OF ITS RELEVANCE TO 2011 GENERAL ELECTIONS

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Abstract
The incumbency factor is a domineering issues in electoral processes in virtually all political systems. However, it appears more pronounced in the developing states of the world than the developed countries. Consequently, political analysis of such countries usually decapitate their energies on its relevance in any electoral dispensation. In the case of Nigeria, its importance cannot be dismissed with a whisker. This is because, experiences of political analysis in the country before 2011 elections have revealed that more often than not, when an incumbent government contested an election, it hardly lost such an election. However, the results of the 2011 elections held in the country in the month of April revealed that incumbency was not a dominating factor in the elections. This was because many incumbents lost elections to opposition candidates. Rather, other factors like 'issues' 'party affiliation' and 'personality' out played it (incumbency factor). To arrive at this finding, an attempt was made to consider the impact of incumbency on elections outcomes in the previously held elections in the country (especially Fourth Republic) vis-à-vis the 2011 elections. It was further revealed that incumbency had been a threat to democratitization process in Nigeria before 2011 elections because it used to dampen the enthusiasm of the 'opposition' parties/candidates. Coupled with this were the constitutional provisions cum electoral laws which empowered the incumbent President to appoint the Chairman, National commissioner and Resident Electoral Commission (INEC). However, in order toe ameliorate the logjam of incumbency on Nigeria's electoral processes; this study suggests that 'election administration' should be handled by individuals whose neutrality cannot be disputed. This we have found in what we tag as an 'Electoral Transitional committee' which will have a Judge of the 'Supreme Court' (the country's highest appellate court) as its Chairman with all the registered political parties that field candidates to contest elections having representatives in the Committee. This suggestion is in tandem with one of the recommendations of the Electoral Reform Committee headed by Justice Uwais which submitted its report in February 2009 but which the Nigerian Government failed to adopt for policy action.

Key words: *Incumbency: elections; political parties; electorate; and Electoral Commission.*

Introduction

The discourse on incumbency in relation to elections in Nigeria dated back to post-independence era. Before the independence of the country in 1960, all elections (1923, 1928, 1933, 1938, 1946, 1951, 1954 and 1959) were organized and supervised by the Colonial Government. However, since the colonial government was a

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prototype of a Military regime, it did not float a party nor contest any election. But this was not to say that it did not influence election outcomes. For instance, Smith (2005) a former colonial officer in Nigeria revealed that the 1959 Federal Elections were 'rigged' and that "The coalitions were formed even before the federal election results were known". The position was corroborated by the officer thus: "The Governor-General called on the leader of the Northerners, his friend, Sir Abubakar Tafawa Balewa, to form a government even before all the results of the 1959 election were counted" (Smithi, 2005:34).

The first post-independence General Election to be held in the country came up in 1964. The election was the first to be organized by an indigenous Electoral Commission (Federal Electoral Commission). The Commission which was headed by Mr. Eyo Ita was constituted by the coalition Government of Northern People Congress (NPC) and National Council of Nigerian Citizens (NCNC). However, by the time the election was conducted in 1964, the N.P.C/N.C.N.C accord at the center was at the brink of collapse. Eventually, the election was contested by two alliances. They were the Nigerian National Alliance (NNA) and the United Progressive Grand Alliance (UPGA). The NNA which was founded in 1963, had as its principal partners, the N.P.C and the Nigerian Democratic Party (NNDP). On the other hand UPGA had as its principal partners, the Action Group (AG) and the 1964 General Election was characterized by 'massive riggings' (Ojiako, 1981) due to the desperation of the government at the centre to penetrate every region. Consequently, the results of the series of elections held were rejected by the major opposition parties (AG and NCNC). And as Jemibewon (1978) noted, the poor conduct of the 1964 General Elections was the main issue responsible for the military coup de'tat of January 15, 1966. therefore, beginning from 1964 when an attempt was first made to retain power 'at all cost' by the incumbent government at the centre, all subsequent general elections (1983, 2003, 2007 and 2011) contested by incumbent governments have not escaped from the criticism of the influence of the incumbents. Perhaps, it was only the 2011 General elections that recorded a reduction in the influence of incumbency on electoral process, judging by the number of incumbent Governors who lost out to some opposition candidates.

The importance of this study is seen in the fact that the outcome of an election has positive effect on the democratization process cum electoral process of a state. When an electoral process escapes from the criticism of bias, the result of any election produced by it will not suffer from credibility question. But when the opposite is the case, opposition parties and their candidates alike, will lose faith in the outcome of the election and may probably seek solace elsewhere. Ideally, the role of political executives in electoral process should be limited. Their main role should be that of making provision for the needed enabling environment for the elections. However, when political executives influence the decisions or actions of the umpire (The Electoral Commission) either directly or indirectly, something is amiss. The end result of such a development will likely culminate into electoral fraud. The aftermath of this type of scenario is political instability. What often precipitates this is the failure of election to serve as the platform by which "citizens have power to alter the government if they are wrong" (Wantchekon, 2003:18). This had been the experiences of elections held in Nigeria before 2011.

This article is divided into four major sections viz: 'Introduction'; 'Conceptual analysis'; 'Analysis of the effect of incumbency on the past electoral process in Nigeria'; Incumbency and 2011 General Elections in Nigeria'; and Conclusion.

Conceptual Analysis

The word 'incumbency', is often invoked as a political expression to discuss issues relating to the happenings during the tenure of a regime. For instance, it is explained as "tenure; the term during which some position is held (wordnetweb.princeton.edu/parl/webwin).

The BBC English Dictionary (2001) defines an incumbent as "the person who holds a particular post at a particular time" (2011:589). Therefore, in relation to electoral process, an incumbent can be described as a political office holder whose tenure witnessed the conduct of an election. As the chief accounting officer of the state, he supervises the conduct of elections and provides necessary logistic supports. These he does with the aim of remaining in office at all cost. Consequently, it is only on rare occasions that an incumbent loses an election he/she contests. For instance, it has been argued that;

> *In the history of Nigeria democracy, it has seemed like a taboo or a mirage to dethrone an incumbent governor or president. Where and when an incumbent administrator is ousted through a ballot box, it is regarded a rare feat (Sunday Tribune, March 2, 2003: 14)*

From the forgoing, a causal relationship can be established between incumbency and its uses. It is argued that incumbency "can be used by the State Governor or President to resist defeat. It could also be used by the party controlling the centre to capture states controlled by opposing parties" (Sunday Tribune, March 2, 2003:14). This is a political colouration of incumbency. However, in addition to the political use of incumbency, it can be argued that it is a device to cover up corrupt practices of a public office holder. Because of the fear of "tomorrow" an incumbent will like to stay-put in a bid to escape being investigated. For instance, a former Chairman of the Economic and Financial Crime Commission (EFCC), Mallam Nuhu Ribadu, in 2006 exposed plans by some unnamed the State Governors and political office holders to escape to foreign countries before the end of their tenure apparently to escape investigation of their corrupt dealings while in office (Odunuga, 2006:6) this was in apparent confirmation of allegations that were levied against twenty four (240 unnamed Governors who were investigated by the Independent Corrupt Practices and others related Offences Commission (ICPC) (Odunuga, 2006:6). While in office, incumbents in Nigeria always hide under the canopy of Section 385 of the 1999 constitution on "immunity". The logic is that "as long as you remain in power, your actions or inactions cannot be investigated". Therefore, it is saver to retain power at all cost. Incumbents use strategies like bribery, false propaganda, electoral fraud, assassination of opponents and harassment by both public and private security agents to achieve their inordinate ambition to stay-put.

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The issue of incumbency in relation to the electoral process in any dispensation is often topical. This is because incumbency confers a lot of authority on the occupier of a position vis-a-vis the outcome of an electoral process. Therefore, both the ruling party and the opposition party(ies) are always at 'war' during any electoral dispensation. The logic is that while the ruling party is out to stay-put at all costs, the opposition has the desire to dislodge the incumbent government and form a new government. The development explains why there are usually two schools of Thought on incumbency. They are the 'pro' and 'anti' incumbency schools of thought.

Kenney Martins the immediate past publicity Secretary of the National Democratic Party (NDP) was a proponent of the power of incumbency. While speaking in support of the Third Term for former President Obasanjo when he was in power, he asserted that:

> *Because a lot of gains have been made, I foresee that if you change the position, a lot of progress will be reversed. So I believe that another term for Obasanjo will actually do this country a lot of good. And as I said if the alternative is this 'opposition', they won't have my vote (Martins, 2006:19).*

Yinka Odumakin the Publicity Secretary of Afenifere (a Yoruba socio-cultural association) was a protagonist of anti-incumbency. He bemoaned incumbency in relation to the electoral processes in Nigeria. He posited that: " any follower of electoral processes in Nigeria would easily know that the greatest bane of free and fair election in Nigeria has been absence of a fair umpire not tied to the apron strings of the incumbent" (Nwakwo and Adetayo, 2006:10).

Odumakin's position really falls within the purview of this study, that is, to x-ray the effect of incumbency on electoral processes in Nigeria with particular emphasis on the 2011 General Elections.

When an incumbent government contests an election, there are always mixed reactions. In such a situation, the opposition loses faith in not only the government but the Electoral Commission. For instance, Alhaji Balarabe Musa, Chairman, Conference of Nigeria Political Parties (GNPP) faulted the composition for the Electoral Commission constituted by the administration of President Olusengun Obasanjo in 2003. In his words:

> The list does not take care of the interest of the political *parties, the civil society and other groups. We want only a total dissolution of INEC and a new INEC established with composition drawn from all groups (Musa, 2003:10).*

From the foregoing, it can be argued that incumbency in relation to the electoral processes in Nigeria gives a picture of a situation whereby the ruling party intends to stay-put. However, since legitimacy resides in election result, the incumbent government which also contests an election will do everything within its power to win the election even if it means committing an electoral fraud. However, when an electoral fraud is established by the opposition (party or candidate) it

precipitates legal tussle and may even degenerate to political violence which may in the final analysis cause the disequilibrium of the political system especially when badly managed. This was the experience of both Zimabwe and Kenya where high scale of post-election violence were recorded because of the sit-tight syndrome of President Robert Mugabe and Mwai Kibaki in 2008 and 2007 respectively. Similarly, the sit-tight syndrome of the defeated (former) President Gbagbo and his refusal to hand over reins of power to Quattara (how president) in Cote de' Vouir in 2010, precipitated political crisis in the country from 2010 to 2011.

An incumbent can influence an electoral process in any or a combination of the following ways; composition of the membership of an electoral commission; funding of the electoral commission and other electoral activities; enacted of electoral laws; legislation on announcement of election results; and registration of parties.

An Analysis of Incumbency and Electoral Processes in Nigeria

The post-independence Nigerian state had witnessed a number of general elections conducted by different Electoral Commissions under the watchful eyes of some incumbents who either contested such elections or had their parties contested them (elections). They were the 1964 General Elections; the 1983 General Elections, the 2003 General elections, the 2007 General Elections and the 2011 General elections. But common to these elections conducted by the incumbents was that they were marred by catalogue of crises. The remote cause of the crises could be found in a special feature of the *Sunday Tribune*, "Power Politics" which posited that:

> *In developing countries, it has not been acceptable fashion to oust an incumbent administrator, be it a president, governor, local council chairman or even leader of a union with relative ease, even when such an officer has not performed while in office (Sunday Tribune, 2 March, 2003:14).*

Historically speaking, the first incumbent party to lose election in Nigeria was the Nigerian National Democratic Party (NNDP) led by Herbert Macaulay. The part lost the four legislative seats it controlled in Lagos and Calabar since 1923 to the 'more pragmatic political party, the Nigerian Youth Movement (N.Y.M) in 1938 (Sklar, 1983). However, perhaps due to the fact that the country was then under colonial rule, the defeat did not generate political crises. Later in 1954, the National Council of Nigeria and Cameroon (later known as National Council of Nigerian Citizens (NCNC) led by Dr. Nnamdi Azikiwe, which hitherto controlled the Western Regional Assembly was defeated by the Action Group (AG) led by Chief Obafemi Awolowo. However, the first striking defeat of an elected government/party came in 1963 with the defeat of the AG controlled government in the Western Region by the Akintola-led Nigerian National Democratic (NNDP) which he founded at the peak of AG, crisis in 1963.

The first time an attempt was made by an incumbent government in Nigeria to retain power at the centre all costs was in 1964. The 1964 General election was the first post-independence national election to be held in the country. The coalition government headed by Sir Abubakar Tafawa Balewa constituted the Federal Electoral

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Commission (FEC) headed by Mr. Eyo Ita which conducted the elections. However, the elections were marred by electoral malpractices. Ojiako (1981:205) captured the situation better when he wrote that: A "partial" election took place with "brisk voting" in the North, "moderate" in the West,...very limited in Lagos....and non-existing in the East where the UPGA boycott was complete".

At the end of the elections, the NPC/NCNC coalition government was declared the winner. The manner post-election crises which remained unabated until January 15, 1966 when the Military struck in a bid to arrest the political skirmishes that had enveloped the nation.

The second experience of how an incumbent government at the centre in Nigeria had 'manipulated' the electoral process in its favour was in 1983. The incumbent ruling party in the country then was the National Party of Nigeria (NPN) which had Alhaji Shehu Shagari at the helms of affairs as the country's President.

The elections were preceded by horse-trading among political parties. The alliance between the National Party of Nigerian (NPN) and Nigeria Peoples Party (NPP) at the centre had become weakened. In fact, the Governors of the three States (Imo, Anambra and Enugu) controlled by the N.P.P. joined the camp of the "progressive governors" which had the Governors of States controlled by the Unity Party of Nigeria (UPN), Great Nigeria Peoples Party (GNPP) and Peoples Redemption Party (PRP) as members. Furthermore, both the PRP and GNPP were badly factionalized. While the founding fathers (Mallam Aminu Kano and Alhaji Ibrahim Waziri respectively) of the two parties remained with the central government, their Governors found solace in the 'progressive governors' camp. Furthermore, the incumbent government also exploited the advantage of the fall-out arising from party primaries in some states. For instance, as a result of the failure of the then Deputy Governor on Ondo State, Chief Akin Omoboriowo, to clinch the ticket of UPN, he fell out with his boss, Chief Adekunle Ajasin who was the then Governor of the State. He later contested for the governorship seat of Ondo State under the platform of NPN, an unpopular party in that part of the country then. Therefore, by the time the General Elections were held in July/August 1983, the incumbent government at the centre (NPN) had an easy in-road into the states that were hitherto controlled by the opposition parties. Consequently, at the end of the electoral process, the opposition parties lost-out to the incumbent government in a bizarre way and the number of States controlled by each political party was as reflected below:

The political development in the country then attracted both internal and external condemnations. The climax of the political intrigue came with the military intervention in the body politics of the country on December 31, 1983.

The 2003 General Elections

The 2003 general Elections were the second phase of elections to be held in the Fourth Republic. The first was held in 1999. However, while the 1999 general elections were organized by the Military government, the 2003 General Elections were organized by the incumbent government of People Democratic Party (PDP) at the centre. The general elections were held between the months of February and April 2003. The elections were contested by five political parties that were previously registered by the country's electoral commission, the Independent National Electoral

Commission (INEC). The parties were Peoples Democratic Party (PDP), Peoples Redemption Party (PRP) Alliance for Democracy (AD) All Nigerian Peoples Party (ANPP) and All Progressive Grand Alliance (APGA).

Between 1999 when the last general elections were held in the country and 2003 when another one was held some developments took place. These developments nonetheless enhanced the electoral exploits of the incumbent party (PDP) at the centre. One of such developments was the re-constitution of the country's electoral commission INEC. The INEC which organized the 1999 General Elections was headed by Justice Ayo Akpata (rtd). However, in the year 2003, a new Chairman, in person of Dr. Abel Guobadia was appointed. New set of Federal Electoral Commissioner were also appointed by the Federal Government. The political neutrality of the appointees was doubted especially by the opposition parties and some social critics.

As experienced in the Second Republic, most of the parties that contested the 2003 General Elections were badly factionalized before the elections were held. Worst affected was the AD which had leadership problem to contend with. Two factions of the party emerged. One faction was led by Chief Mojisoluwa Akinfenwa while the other one was led by Mallam Alli.

Political killings also pervaded the political landscape of Nigeria between the year 2000 and 2001. These political killings which were more or less selective in nature affected some top-shots of the opposition parties. The belief that pervaded the thinking of political observers in the country then was that they were sponsored by the 'fifth columnists' or better still, the incumbents. For instance, assessing the security situation or Obasanjo administration, Adeyemi (2007:112) in a special feature noted that:

> *It is a general belief among Nigerians, including honest public officials, that security matters have given the Obasanjo government so much to chew. There is hardly a day that passes that innocent blood is not spilled either in the bedrooms or public places across the country.*

Among those killed was chief Bola Ige, a chieftain of the AD who was then the serving Attorney-General of the Federation Dr. Marshall Harry who was the zonal leader of the A.N.P.P in south-south. However, the ruling party, P.D.P was also not spared of the spate of political killings as a frontline member of the party. Chief A.K Dokibbo, the PDP National Vice Chairman (South-South) was killed by gunmen in 2002 Apart from these "high profile killing", there were also pockets of political assassination across the country. These killings definitely weakened the opposition parties and instilled fear into their minds because it appeared that those considered as the stumbling-blocks to the in-road of certain political interest into their zones were technically eliminated. Buttressing this argument, *Sunday Tribune* 'Special Feature' on 'power of incumbency' wrote that:

> *The spate of killings now rampant in the eastern parts of the country is not unconnected, directly or indirectly with diabolical practices of some incumbent*

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> *administrators or the opposing parties (Sunday Tribune, 2, March, 2003:4).*

The issues of proliferation of political parties weakened opposition but strengthened the ruling party at the centre. Before the 2003 General elections, opposition mounted intensive campaign against the number of political parties (three) that operated in the country then. The number was initially increased to six by INEC then as a result of the Supreme Court judgment of November, 2002 in an appeal filed by Chief Gani Fawehinmi, the number got increased to thirty.

The foregoing gives a graphic picture of the antecedents to the April/May 2003 General Elections. It was not therefore a surprise that the incumbent government swept the polls in areas that used to be the strongholds of some opposition parties when the elections were eventually held.

The 2007 General Elections

The 2007 General Elections were conducted by the Independent National Electoral commission (INEC) the same body that conducted the 2003 General Election. However, unlike the 2003 General elections the significance of the elections was that it marked a watershed in the political history of the country. The elections transited the country from one civilian administration to another. But like the previous elections we reviewed, some political events which had resemblance with those of 2003 elections preceded the electoral process. For instance, President Olusegun Obasanjo's administration re-organized the Independent National Electoral Commission (INEC) in May 2005 with the appointment of Professor Maurice Iwu, as the 'new' Chairman of the Commission. Before his appointment as the Chairman of the Commission, he was a national Commissioner in the Commission. He was appointed into that position after the 2003 General Elections. In an apparent assessment of the elections conducted by INEC under the Chairmanship of Professor Iwu. Therefore at the end of the electoral process, Professor Bayo Okunade, in the foreword to the inaugural lecture delivered by Professor Maurice Iwu at Department of Political Science, University of Ibadan, noted that: "Generally the elections were said to be the worst in Nigerian history and was indescribably flawed in ways that initially signaled some threats to democratic consolidation in Nigeria (Iwu, 2008:11).

Furthermore, while noting the displeasure of the opposition parties to the manner the 2007 General Elections were organized. 'The Economist' submitted that:

> *The only people who seem happy with the charade are officials of the inept and craven Independent National Electoral Commission (INEC) and those who appointed them in the ruling Peoples Democratic Party (PDP), Umaru Yar'Adua won an astonishing 70% of the vote; but few will accept the result as anything other than a fraud (Quoted in Iwu, 2008:10).*

Another major political event that preceded the 2007 General elections was the purported abortive attempt by President Obasanjo to elongate his tenure. Although President Obasanjo himself did not at any time declare his ambition publicly but

"many believed that he and his political machinery promoted the project" (*The Punch,* May 29, 2007:11). The scheme was greeted with rejection and it united most of the members of the opposition parties, political activists, members of international community and a sizeable number of the members of the PDP (for example, Senator Chukwumerije) against the incumbent government. Although the scheme failed but it appeared it made President Olusegun Obasanjo to be more aggressive politically.

Following from the above were a number of declarations made by President Obasanjo which propelled the "political doom" of his political opponents. First was the 'Abeokuta Declaration' of February 10, 2007 in which he described the April 2007 Elections as "a do-or-die affair for me and the PDP. This coming election is a mater of life and death for the PDP, and Nigeria" (*the Nigerian Tribune* 11 February, 2007:2).

The above declaration nonetheless attracted mixed-reactions from different strata of the society. For instance, it was condemned by the National Assembly as reflected in its 'three-point resolution' of February, 21, 2007. the resolutions admonished the President to desist from utterances which raised doubts over the disposition of his administration to allow free and fair elections to hold (*The Punch,* February 22, 2007:2).

The other declaration was the 'Aso rock Declaration' of March 16, 2007 made on behalf of President Obasanjo by his Senior Assistant on Media, Mrs. Oluremi Oyo. The declaration was made in apparent reaction to the threat of the then embattled Vice-President of the country, Alhaji Abubakar Atiku who was quoted as having threatened that the April 2007 elections would not be allowed to hold following his non-clearance by the INEC. In the declaration, the then President said he was set to deal decisively with anyone or group of persons who wanted to truncate INEC's efforts at conducting the April polls as planned. The statement read in part:

> *President Olusengun Obasanjo remains irrevocably committed to handing over the reins of government to a new, democratically elected administration on May 29th this year. The Federal Government will therefore not tolerate any attempt from any quarter to willfully create conditions that will make it impossible for the Independent National Electoral Commission (INEC) to conduct free, fair, transparent and credible elections as scheduled on April 14 and April 21 (Saturday Tribune, 17th March, 2007:3).*

The 'intolerance' of President Obasanjo's administration to opposition was further manifested in the way some of his perceived 'political enemies' who wanted to contest for various elective positions were disqualified. The disqualifications were made not either by INEC or Court of law by an Administrative Panel of Inquiry headed by the then Solicitor-General of the Federation, Professor Ignatius. The six-man panel which was set up by the Federal Ministry of Justice on February 8, 2008 submitted its report on February 13, 2007. the White paper on the Report revealed that eighty nine (89) politicians were banned from holding public offices (*The Punch,* February 14, 2007:5). Prominent among those banned were the unrepentant critics of

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the administration of President Obasanjo. Their examples includes; Chief Ahmed Bola Tinubu the then Governor of Lagos State, Alhaji Abuakar Atiku, the then Vice-President, Orji Kalu the then Governor of Abia State and Ibrahim Shekarau, the then Governor of Kano State. Although the Supreme Court judgment of April 16, 2007 at the instance of Alhaji Abubakar Atiku, described the disqualification as illegal and that only competent court of law can disqualify candidates (*The Punch,* April 17, 2007:2-3), the aborted action nonetheless portrayed the then incumbent government as being intolerant to opposition and that which was hell-bent on retaining power at all costs.

Furthermore, as a result of Intra-party crisis the incumbent party (PDP) at the centre lost some of its frontline politicians to rival parties. For instance, Atiku defected to Action Congress (AC) while Orji Kalu founded Progressive peoples Alliance. However, the defection Candidate also marked a watershed in the nation's political history. On the other hand, the then incumbent government also gained some leaders of the opposition parties. For instance, Governor Turaki of Jigawa State defected to PDP.

Professor Maurice Iwu, INEC Chairman, while explaining the challenges that confronted INEC in the April elections described the scenario aptly thus:

> *As if the existing problems of the political environment did not present enough challenges in the preparation for the 2007 elections, the ruling party, the Peoples Democratic Party (PDP) foisted a moral unusual and unprecedented crisis on the nation, an irreconcilable disputable that result in the incumbent vice President parting ways with both the government and the ruling party. He promptly transformed into an opposition kingpin. The burden of managing an election with such fractious and bitter rival entities became the lot of the Electoral Commission (Iwu, 2008:31).*

The foregoing explains the circumstances under which the April 2007 General Elections in Nigeria were held. But as revealed by the myriad of analyses made earlier in this work, the then incumbent government succeeded in consolidating her political strength at the expense of the opposition parties and groups. On their part, most of the opposition parties became weakened, apathetic and limited their electioneering campaigns, perhaps to the areas they regarded as their strongholds. Therefore, it can be argued that the activities of the then incumbent government pre-determined the election results. This resulted in som of the opposition parties, losing the states they controlled to the then incumbent government. For example, ANPP lost both Jigawa and Kebbi States to the PDP.

In his assessment of the 2007 elections, President Umaru Yar'Adua noted that:

> *The April elections were so heavily married by vote-rigging that European Union observers said they fell*

far below basic international standards and were not credible (Nigerian Tribune August 29, 2007:1).

The above confessional statement coming from a man brought into power via "electoral fraud" (at least judging from his statement but without prejudice to the Supreme Court's divided judgments), renders the whole electoral process supervised by an incumbent government that had the same party interest with him, a nullity. In fact, the occasion was the second time President Yar'adua publicly declared that he got to power via fraudulent means. The first being the time he addressed the 'G8', meeting attended by the United Nations Secretary General, Mr. Ban Ki Moon where he state "The April elections had flaws and shortcomings but it is significant that for the first time in our history, we had a civilian to civilian transfer of power" (*Saturday Tribune*, 9 June, 2007:23).

The 2011 General Elections

The 2011 General Elections in Nigeria were organized and conducted by the newly re-constituted Independent National Electoral Commission (INEC). "The new INEC" has Professor Attahiru Jega a University Don and an Activist, as its National Chairman. The re-constitution of the body took place in June 2010 which was just about ten months to the General Elections of 2011.

In keeping to the promise of his administration to oversee the conduct of the 'best' elections in Nigeria, President Goodluck Jonathan had to drop two National Commissioners (Gen. Abdullahi Mamman, rtd, and Alhaji Mohammed Anka) of the commission when opposition parties in the country established their allegation of their affiliation with the ruling party, PDP. However, it is instructive to note that the opposition's action was in tandem with the provision of Section 152 of the Electoral Act 2006 on "Persons disqualified as acting as elections officers". The Section provided that:

> *No person holding an elective office to which this Act relates or a registered member of a political party shall be eligible for or be appointed to carryout the duties of a returning officer, an electoral officer, presiding officer or a poll clerk; and any officer appointed to carryout any of these duties shall be ineligible for nomination as a candidate for election while he continues to hold any such appointment.*

In all, there were sixty three (3) registered political parties in the country as at the time the elections were contested. However, not all of them contested all the elections. The fielded candidates variedly in different elections. But at the end of the exercise, it was discovered that about fourteen of them did not field any candidates at all in any election.. This raised the argument that perhaps some of them were formed to only collect annual grants from the INEC. Perhaps in line with Section 90 and 91 of the Electoral Act 2006 provided for "grant to political parties for elections" and "annual grants to political parties for their operations" respectively.

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The preparations for the 2011 General Elections seemed to have begun on August 28, 2008 when the administration of the late President Umaru Yar'Adua constituted "Electoral Reform Committee" to advise the government on "how to get the cloak of incredibility of governments emerging from electoral process by fashioning a method for the mergence of a truly independent electoral commission, with administrative and financial autonomy" (Adewole, 2008:1 and 4). The 22 Man Committee had Justice Mohammed Uwais, a former Chief Justice of the Federation, as its Chairman.

It is imperative to note that the decision of the administration of President Yar'Adua was informed by the criticisms of both local and international election observers about the conduct of the 2007 General Elections.

The Electoral Reform Committee (ERC) submitted its report to the Federal Government on February 22, 2009 while the latter approved the White Paper on it in March, 2009. recommendations made by the Committee centered on INEC composition; conduct of elections; funding of INEC; Independent Candidate, unbundling and the number of Judges to sit in Tribunal. Others include: procedure for the disqualification of candidates; funding of political parties. It is gratifying to note that the recommendations were aimed at guaranteeing the independence of the electoral commission on one hand, and addressing some of the hiccups that confronted the 2007 elections. However, while majority of the recommendations were approved by the Federal Government, the salient ones that could have revolutionized the country's electoral process were jettisoned by the Federal Executive Council (FEC) (the highest decision making body in the country). The most significant of them being the modality for composition of INEC and those of the three proposed bodies viz, 'Electoral Offences Commission'; 'Political Parties Registration and Regulatory Commission'; and 'Centre for Democratic Studies' (Chiedozie, 2009:2 and 8). The ERC had earlier recommend the 'establishment of a new, truly, non-partisan, independent and impartial INEC which would have its Chairman and other National Officers appointed by the National Judicial Council (NJC) (the highest decision making body in Nigerian on Judicial Matters). In rejecting this crucial recommendation, Professor Dora Akunyili, the then Minister of Information for the Federation, argued on behalf of the Federal Executive Council (FEC) that: "Government is mindful of the doctrine of separation of power which would be violated if the judiciary is asked to step into perform executive functions" (Chiedozie, 2009:2).

Furthermore, in what appeared to be an agreement with our position on the effect of incumbency on electoral processes, the then Special Adviser to President Yar'Adua on Media and Publicity, Mr. Olusegun Adeniyi, posited that "NJC's head is appointed by the President, and I don't see how the appointment of Chairman of INEC by the head of NJC will make any difference" (Chiedozie, 2009:2). Therefore, with the rejection of the recommendation, the President of the country still reserved the right to appoint the Chairman of the INEC as contained in Section 254 of the 1999 constitution of the Federal Republic of Nigeria acting on the advice of Council of State. The foregoing prepared the ground for the 2011 General Elections but it made the opposition not to have confidence in the ability of the INEC to conduct free, fair and credible elections.

The first major task carried out by the Attahiru Jega- led INEC was the Voter Registration Exercise. The exercise took place between January 15 and February 7, 2011 Electronic Registration system (ERS) method like was the case in 2006-2007 was adopted. At the end of the exercise, 67,764,327 prospective voters were registered by the INEC (Babalola, 2011: 1). Information on the Prospective Voters were captured on the Direct Data Captured Machines (DDC Machines). Their finger prints were also taken and at the end of the exercise, they were issued electronically devise 'temporary' voters cards. The adoption of ERS was principally aimed at checking multiple registration and impersonation. However, the success which INEC recorded in that regard was another issue entirely. For instance, the Commission later claimed that it detected about one (1) percent of the 67.7 million registered voters in the country as 'multiple registrants'. It claimed that some high profile politicians were involved (Alechenu, 2011:2). Although Professor Attahiru Jega, the Chairman of INEC, declared that the culprits would be prosecuted by the INEC, hitherto nothing has been heard of their case perhaps due to the caliber of people involve. It is instructive to note that the Electoral Act 2006 as amended in 2010 stipulated punitive measure(s) for multiple registration. For example, Section 25 of the Act highlighted various Voter Registration-related offences and penalties for the offences. For instance, Section 25(1) (f) of the Act provides that: "Any person who: (f) by himself or any other person procures the registration of affiliations person, commits an offence and is liable on conviction to a fine not exceeding N100,000 or imprisonment not exceeding one year or both."

It is our view that the failure of the INEC to implement the above provision portrayed it as a weak umpire who can be described as a mere puppet in the hands of the incumbent government.

Between 2007 when the last general elections were held and 2011, the number of political parties in the country got increased from fifty (50) to sixty three (63). However, it is imperative to note that the parties did not contest the elections on equal proportion. In fact, some of them only existed in names without fielding candidates for elections talkless of embarking on electioneering campaigns. For instance, only twenty one parties fielded candidates for the Presidential election.

The 2011 General Election were held in three stages viz

1. National Assembly Election, April 9, 2011.
2. Presidential Election, April 16, 2011; and
3. And State Assembly Elections, April 26,2011.

The above schedules were faulted by some opposition parties (for example, the Labour Party) and political analysts in the country. They saw them as a grand design to give the incumbent government an undue advantage over the other parties and their candidates. The order they criticized most was the arrangement of having the Presidential election before the Governorship or Gubernatorial elections. The argument they advanced was seen in the fact that it was an indirect way of forcing State Governors (especially the PDP- Controlled States) to throw their weight behind the incumbent president, Dr. Goodluck Jonathan who himself was a Presidential candidate. The foregoing explains why the Labour Party (LP) which was one of the sixty-three (63) registered political parties in the country but which coincidentally did not field any Presidential candidate, challenged the action of INEC in a Federal High

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Court in Abuja. Part of the argument of the party was that the order of elections as announced by INEC would create a band wagon effect in that once the President emerged first, other Nigerians would tilt towards the President's Party to the detriment of other 62 registered political parties (Ogundele, 2011:2). The court, presided over by Justice Ibrahim Auta declared the amendment in a judgment delivered on March 3, 2011 as "illegal, unconstitutional, null and void". According to him, the National Assembly has no power to infringe upon the powers conferred on the Independent National Electoral Commission (INEC) to fix dates for elections. The INEC however, appeared felt satisfied with the amendment effected by the National Assembly as it retained the arrangement contained in Section 25 of electoral Act 2010 (as amended). This action made other stakeholders to see both INEC and the National Assembly dominated by about two-thirds (2/3) PDP legislators as collaborators who were acting the script of the incumbent government.

The 2011 General elections started on a shaky note. The National Assembly Elections which was the first to be held was initially scheduled to hold on April 2, 2011. it was however, postponed mid-way around 12 noon after voters had cast their votes in some voting units in some parts of the country due to what the INEC Chairman attributed to 'logistic problems'. He blamed unnamed "Vendors(s)" of failing to deliver critical election materials such as result sheets on schedule and said the development was a "national emergency". He explained further that the decision tot post-pone the elections, though 'painful', was a necessary sacrifice needed to ensure the credibility of the poll (Alechenu, 2011:2). However, the development was given a different interpretation by some stakeholders and civil groups who believed it was the handiwork of the incumbent government. For instance, Shehu Sani, the head of 'Civil rights Congress' (CRC) in Nigeria was quoted to have said that:

> *Even though the elections have been shifted, we believed it will unavoidably affected the morale and enthusiasm of Nigerian voters. We demand an immediate probe into the circumstances that led to the sabotage (Odebode, Alechenu, Chinedozie and Nwogu, 2011:2).*

Furthermore, Chief Bola Ahmed Tinubu, the erstwhile Governor of Lagos State and the national leader of the foremost opposition party in the country, Action Congress of Nigeria (ACN) condemned the postponement. He was quoted to have said that:

> *The Giant of Africa is still struggling to conduct an election and is now an elephant with serious arthristis; it cannot move itself. It is a shame and this is a disaster for the nation; this is terrible for Nigeria (Sunday Punch, April 3, 2011:2).*

He however admitted that it was better that the Professor Attahiru Jega-led INEC postponed the election instead of going ahead inspite of poor logistics.

The 2011 General elections were preceded by series of violence. Principal among which was incidents of bombings, a new dimension violence in the country.

Two main bomb incidents which had direct bearing on the 2011 General Elections were recorded. The first incident occurred during a People Democratic Party's (PDP) rally at Suleja, Niger State, a distance of about 40 kilometers from Abuja, the Federal Capital Territory (FCT) on March 3, 2011. The incident left ten (10) people dead and twenty (20) injured (Orintunsin and Asishana, 2011:1). The second incident of bomb explosion was also recorded at Suleja, Niger State on April 8, 2011 which was a day that preceded the first election (National Assembly) to be held in 2011. The incident which occurred at the INEC office when Electoral Officers who were mainly Youth Corpers who served as ad hoc staff were collecting election materials for the following day's elections claimed no fewer than twenty-five (25) lives and left several people critically injured (Laleye, 2011:4).

The ruling party (PDP) in Niger State attributed both incidents to the handiwork of their opponents. For instance, Dr. Mohammed- Kuta Yahaya, the Secretary to the State Government (SSG) in an official reaction to the second incident stated that: "it is sad and a calculated attempt to give the state a bad name. it is unfortunate and sad comment as enemies of democracy are at work" (Laleye, 2011:4).

The above position by Dr. Yayaha cannot be dismissed with a whisker, particularly when one remembers that the target of the first incident was a rally being held by the incumbent government in the state. It can also be said that perhaps the perpetrators of the heinous crime of the second incident saw INEC as the instrument which the incumbent government would use to perpetuate itself in office.

Measures Undertaken by the Electoral Stakeholders to Checkmate the Degree of the Influence of Incumbency on Electoral Process in 2011

Apart from the constitutional provision as contained in Section 154 of the 1999 Constitution of the Federal Republic of Nigeria which confers independence status on the INEC; and Section 152 of the Electoral Act 2006 which stipulates that INEC officials should be politically neutral, the management of the Commission and Security Chiefs also adopted a number of policies which were aimed at checkmating the degree of influence of incumbency on electoral process. For instance, INEC issued a policy statement on 1st April 2011, in which it defined the role of State Governors during the April elections. INEC's National Commissioner in charge of publicity, Prince Adedeji Shoyebi in an interview said that the Commission would not allow unauthorized persons, including Governors, Ministers and other groups to monitor election on the Election Day. According to him, only registered election observers will be allowed to monitor the April 2011, elections (Adisa and Olatunji, 2011:4). He stated further that "this time around we have said it, the security agencies have said it, there is nothing like government monitoring team at stage, federal or local level. The role of all these leaders including Governors Ministers, Senators and what have you, on the election day is to go and vote and go back home, nothing more than that". The justification for the INEC's decision was seen in the fact that experiences had revealed in the past that sitting Governors and Ministers, under the disguise of monitoring elections, used to use the opportunity to perpetrate electoral malpractices, especially, rigging and harassment of their political opponents (Durodola, Waheed and Adekanmi, 2010: 4). This and many other incidents might

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have informed the decision of the then nation's Defence Minister, Prince Adetokunbo Kayode (SAN) who ruled out the use of soldiers at voting arena during the elections. He said:

> *My Ministry (Defence) is not in any way involved with the electoral process. We are only involved in the internal security of the process. The Military absolutely have no business around the polling booths and there won't be any soldier around the ballot boxes. It is not their responsibility and they will not be there (Adisa and Olatunji, 2011:4)*

He however, added that the Police has the constitutional right to maintain law and order during elections.

Another measure taken to checkmate the influence of incumbents on the 2011 electoral process was the directive handed down to the Resident Electoral Commissioners (RECs) (The political head of INEC office in States) by the INEC Chairman, Professor Attahiru Jega in January, 2011. He warned that they should not have any dealing with State Governors by way of soliciting for logistic assistance from them while performing their official responsibly without his clearance. He further warned that violators of the directive will forfeit their positions of responsibilities. The National Judicial Council similarly barred members of the Election petition Tribunals from accepting logistics support from State Governors, during the hearing of petitions arising from the 2007 General Election (Adewale, 2011:4).

In a similar vein, the then Ministere of Defence for the nation, Prince Adebayo Adetokunbo warned the electoral stakeholders on offering and taking of gratifications. He was quoted to have said during an interactive session with some journalist that:

> *I want to add that the people should not in any way try to offer an assistance to the police during the elections. No local government Chairman should give them vehicles or hotel to sleep because they are well equipped to carry out their assignments. If they require anything, they know how to get what they need to do their job (Adisa, and Olatunji 2011:4).*

Furthermore, less than a week to the commencement of the elections there was mass transfer of State Police Commissioners due to what the Inspector-General of Police (Alhaji Ringin) described as "complaints against many of them, either from governors or (other) politicians" (*The Punch*, March 29:2).

The directives of INEC Chairman and that of the Defence Minister were anchored on the past experiences of electoral stakeholders in the country. Electoral Officials used to approach political office holders for assistance to overcome the logistic problems confronting them stemming from inadequate funding or delay in releasing funds to them. The logic is that they (political office holders) would even do more than what they have requested from them. Therefore, when they turned round to

solicit for a compromise from the election umpires, the latter would consent. In order to prevent such a development, the Federal Government of Nigeria approved about N88 bn to fund the 2011 elections the highest so far in the electoral history of the country. The results of the series of elections conducted in 2011 revealed that some incumbents lost out perhaps as a result of the warning handed down to electoral officers not to solicit for assistance from them.

The Nexus between Incumbency and 2011 General Elections

With the above policy measures taken by some stakeholders to reduce the influence of incumbents on the 2011 electoral process, an attempt will now be made to x-ray them vis-à-vis the outcome of the elections held then. This will be approached by focusing attention on the National Assembly Elections; Presidential Elections and Gubernatorial (Governorship) Elections.

The National Assembly Elections

The 'National Assembly' is the acronym of the highest legislative house in Nigeria. It is composed of two houses viz the 'House of Senate and House of Representatives'. While the Senate is the Upper house' (Chamber) the House of Representatives' is the 'Lower House' (Chamber). Elections into the National Assembly were held on 9th April, 2011. it was originally scheduled to be held on 2nd April, 2011 but had to be postponed due to some logistic problems that confronted the INEC.

Party's primaries preceded the elections. They were held between the months of September and December 2010. During the exercise, some of the then incumbent legislators failed to win their parties. Tickets for a return to the National Assembly. This development aroused the curiosity of political analysts in the country because it was discovered that the influence of incumbency had dwindled. This was unlike the experience of the party primary conducted by the People Democratic Party (PDP) (the then ruling party at the centre) in late 2002 when all the incumbent political office holders of the party were given automatic ticket for a second term.

At the end of the 2010 party's primaries, it was reported that fifty-two (52) of the incumbent Senators who contested the elections for a second term or third term, or fourth term lost out. For instance, one of the big wigs who lost out during PDP primaries was Senator Teslim Flolarin, the then Senate Leader. This experience definitely set the pace for the 2011 National Assembly elections because it gave the electorate the hope that their votes would count during the April 2011 General Elections.

Since PDP was the incumbent party at the national level, one would have thought that the April 2011 National Assembly elections would be a smooth sail for it. However, this study revealed that this was not case. The number of Senators and the Honourable members of the House of Representatives it produced got reduced in comparison to that of 2007. In 2007 out of 109 in the House of Senate, the party won 85 which represented about 77.98 percent during the General elections described by the then incumbent President, Olusegun Obasano " a do or die affair". However, during the 2011 General Elections, perhaps due to the conducive environment provided by the major electoral stakeholders (the incumbent President, and the INEC

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in particular) there was a drastic reduction in the influence of incumbency on the election outcomes of the National Assembly. At the end of the National Assembly Polls, the party (PDP) lost some of the seats it hitherto controlled to some opposition parities. For instance, the daughter of the former President of the country (Obasanjo) Dr. (Mrs) Iyabo Obasanjo was defeated in Ogun Central Senatorial district by the candidate of an opposition party, Action Congress of Nigeria (CAN). The party also lost the remaining two Senatorial Seats it hitherto controlled in the State to the CAN. In Oyo State, of the three Senatorial candidates of the Party (PDP) only one (Senator Hosea Agboola) won the election. The remaining two seats were lost to the CAN. Furthermore, the PDP lost the three Senatorial Seats it won during the 2007 elections to CAN in Osun State. In Ondo State, the immediate past Governor of the State, Olusegun Agagu, who was a PDP Senatorial candidate, lost election to the Labour Party candidate. The Labour Party is the party that controls the State. Similarly, Senatort Olajumoke a PDP Senatorial candidate in the State lost out to Labour Party Candidate (Olukoya, Fagbemi and Hassan, 2011:4).

In Jigawa State, a two-term Governmor of the State, Senator s. Turaki who failed to win the PDP ticket for a second term but chose to contest the election under the platform of the CAN, lost out to his opponent who was a PDP candidate. Some of the other incumbent Senators who lost out to their opponents during Senatorial elections were: Iyiola Omisore, the then Chairman, House Committee on Appropriation, Ken Nnamani, who was also a former Governor of Imo State and Isiaka Adeleke, who was also a former Governor of Osun State. Also, defeated was Orji Kalu of Progressive Peoples Alliance (PPA) who was a former Governor of Abia State.

At the end of the Senatorial Elections about forty (40) percent of the incumbent legislators who sought for a return ticket lost out to the candidates of other parties. The incumbent party at the centre, PDP, won a total of seventy two (72) seats in the House of Senate which represented about 66.05 percent of the total seats while the CAN, captured a total eighteen (18) seats which represented about 16.5 percent in the House of Senate. This analysis reveals that while the PDP performed lower than it did in 2007, CAN improved on its performance. In fact, CAN only won six (6) Senatorial Seats which represented about 5.43 percent of the total seats, in 2007.

The results of the election into the Lower house (House of Representatives) also revealed that the ruling party at the centre, PDP had an overwhelming majority. It won about two hundred and twenty two seats out of a total of three hundred and sixty (360) seats in the House. This represented about 61 percent. Although the result revealed that unlike the situation in the House of Senate, the party did not have two-thirds majority in the Lower House, but it had an overwhelming majority. Furthermore, of the 360 members in the House, 221 are new members. This showed that only 139 members which represented 38.91 percent secured returned ticket to the House. This figure revealed that the election era of 2012 showed a drastic reduction in the influence of incumbency on the electoral process.

Like it was experienced during Senatorial election, some incumbent members of the House of Representatives failed in their bid to win a return ticket to the House. Prominent among them was the Majority leader of the House of Representatives', Tunde Akogun, who was defeated by an CAN Candidate, Peter Akpattasan, a former

President of the National Union of Petroleum and Natural Gas Workers. Furthermore, the then incumbent Speaker of the House of Representatives, Dimeji Bankole, was defeated by a less popular CAN candidate, Williams Olusegun. The defeat of Bankole can however, be attributetd to the intra-party crisis that engulfed the PDP in Ogun State a development that led to the factionalization of the party.

Presidential Election.

The presidential Poll which was originally scheduled to hold on April 9, 2011 was held on April 16, 2011 due to the postponement that greeted the first election. The Election was preceded by Party primaries. At the end of the exercise, the major contenders during the April 2011 poll, emerged. However, of all the primaries, it was that of the ruling party, PDP, that aroused a lot of curiosity among Nigerians and the contestants themselves. One of the reasons that caused this was that following the death of President Umaru Yar'Adua, the erstwhile Vice-President, Dr. Goodluck Jonathan was sworn in as the substantive President of the country. His desire to contest the 2011 Presidential Election generated some dusts. First was the argument advanced by some Northern Political groups of which the 'Northern political Leaders Forum' (NPLF) led by Mallam Adamu Ciroma, a one time Federal Minister of Finance under the administration of President Obasanjo, was the most vocal that the North must complete its term in 2011. They argued that in as much as President Obasanjo, a Southerner spent two terms of eight (8) years, then a Northerner, must be fielded by the PDP to complete his term. The furo even precipitated a legal action in Abuja. The court however, ruled that although PDP has rotational policy in its Constitution, but Jonathan could not be stopped to exercise his fundamental human rights as contained in the Section 35 of the 1999 Constitution of Federal Republic of Nigeria. With the judgment, the coast was clear for Dr. Goodluck Jonathan the incumbent President, to contest his party (PDP) primary. This he did along with other contestants-Alhaji Atitu Abubakar, former Vice President Jonathan became his party's Presidential candidates haven won about 80 percent of the total votes cast during the exercise. He polled a total of 2, 736 to defeat Alhaji Atiku Abubakar who Garnered a total of 805 votes and Sarah Jibril who polled one vote (*The Punch*, January 15, 2011:1-2).

The argument advanced by some interest groups (for example, NLPF) and political analysts was that President Jonathan used the advantage of incumbency to win the supports of party delegates, especially State Governors, who voted during the party primary.

The Presidential election was contested by twenty (20) candidates of the sixty-three (63) registered political parties. However, the main contenders were the incumbent President Dr. Goodluck Jonathan, General Muhammadu Buhari (rtd.) a former Head of State of Nigeria, who was the candidate of the Congress for Political Change (CPC), Mallam Nuhu Ribadu the candidate of the Action Congress of Nigeria (ACN) and Alhaji Ibahim Shekarau, the then incumbent Governor of Kano State, who was the flag bearer of the All Nigeria People Party (ANPP).

Prior to the election, there were political re-alignments in the country. For instance, the Labour Party did not field any Presidential candidate but rather adopted President Goodluck as its presidential candidate. A group of forty five (45) other

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political parties also later 'adopted' him as their Presidential candidate. Furthermore, the 'adoption' of President Jonathan as the choice Presidential candidates for the April, 2011 Presidential Poll was also extended to some Civil society groups which declared their support for him during the grand finale of the PDP Presidential Campaign rally at the Eagle Square, Abuja on Saturday 26th March, 2011. They posited that their total and collective support for him was borne out of the fact that "he had been able to prove a Nigerians in recent times that the future of the country would be bright under his leadership" (Adeniyi 2011:27). In a similar vein, the Nigerian Union of Teachers (NUT) the umbrella union of teachers in Nigerian Primary Schools and Secondary Schools endorsed the candidature of President Jonathan on 28th March, 2011 at the Presidential Villa in an address in an address presented to him by its (NUT) President, Michael Olukoya (Azeez, 2011:53).

The above supports, which President Jonathan got from different sections of the society was attributed to the power of incumbency by analysts and his political foes. This study agreed with their position to some extent because hardly can any individual or group approached by an incumbent political office holder in a country like Nigeria turned down such a rapprochement. However, in addition to all these, the profiles of other main contenders served as an added advantage to the electoral exploit of President Jonathan. For instance, General Muhammadu Buhari (rtd.) the candidate of the CPC who was the main contender to President Jonathan in the election, had human rights issues to contend with when he was the (Military) Head of State of Nigeria between December 31, 1983 and August 27, 1985. it was alleged that "the totality of Nigerians groaned under pain, despair, helplessness with no hope for the next day" under his regime (Advertorial contained in *Nigerian Tribune,* 29 March, 2011:52). The case of Alhaji Nuhu Ribadu, the pioneer Chairman of the Economic Financial Crime Commission (EFCC) was not better either. Some analysts and political office holders perceived the actions of the anti-graft agency (EFCC) he headed as being over-bearing. As the then chairman of the agency, he was alleged to have stepped on the toes of some high profile politicians (for example State Governors) in the country at that time. Consequently, they and their sympathizers laid ambush for him during the Presidential Poll. Perhaps, it was only Alhaji Ibrahim Shekarau, the candidate of the ANPP, who could be said to be free of his 'past' hunting him at the national level. This notwithstanding, he had local scores to settle with some of the members of the leadership of his party (ANPP) and local politicians in his home State (Kano) where he was the Governor.

The above scenario gave a picture of what was to be the outcome of the April 16, 2011 Presidential Poll. At the end of the poll, the incumbent President, Jonathan, won overwhelmingly. He polled 22, 495,187 votes. This represented 58.89 percent of total votes cast. The breakdown of the result showed that he scored more than 25 percent of the votes cast in thirty-three (33) states. This was far above the constitutional requirement as contained in Section 133(b) of 1999 Constitution of the Federal Republic of Nigeria. The Section provides that for a candidate to emerge victorious in a Presidential election in the country, he or she must scorer at least one-quarter (25 percent) of total votes cast at the election in each of at least two-thirds of all the States in the Federation. This translated to mean twenty-four (24) States.

1.1 Summary of 2011 Presidential Election Results

S/no	Party	Votes Received	%
1	People Democratic Party (PDP)	22,495,187	58.89
2	Congress for Progressive Change (CPC)	12,214,853	31.98
3	Action Congress of Nigeria (ACN)	2,079,151	5.41
4	All Nigeria Peoples Party (ANPP)	917,012	2.40
5	African Democratic Congress (ADC)	51,682	0.14
6	African Political System (APS)	23,740	0.06
7	African Renaissance Party (ARP)	12,264	0.03
8	Better Nigeria Progressive Party (BNPP)	47,272	0.12
9	FRESH	34,331	0.09
10	Hope Democratic Party (HDP)	12,023	0.03
11	Liberation Democratic Party of Nigeria (LDPN)	8,472	0.02
12	Movement for Progressive Peoples Party (MPPP)	16,492	0.04
13	National Conscience Party (NCP)	26,376	0.07
14	National Majority Democratic Party (NMDP)	25,938	0.07
15	National Transformation Party (NTP	19,744	0.05
16	Peoples Democratic Congress (PDC)	82,243	0.21
17	People Mandate Party (PMP)	56,248	0.15
18	Progressive People Party (PPP)	54,203	0.14
19	Social Democratic Movement Party (SDMP)	11,544	0.03
20	United Nigeria's People Party (UNPP)	21,203	0.06
21			
22			
	Total	**3,816,660**	**100**

Source: INEC (2011)

Jonathan's electoral exploit covered the six geo-political zones in the country. He enjoyed absolute support in South-South zone, South-East zone, South-West zone

	%
7	58.89
3	31.98
51	5.41
12	2.40
2	0.14
0	0.06
4	0.03
2	0.12
1	0.09
3	0.03
2	0.02
2	0.04
6	0.07
8	0.07
4	0.05
3	0.21
8	0.15
3	0.14
4	0.03
3	0.06
0	100

in the country.
uth-West zone

and North-Central zone. He also won majority of the State in North-West, Bauchi State being the only State where he did not have up ton one-quarter of the total votes cast. In the North-East, he had one quarter of the total votes cast in four (4) of the six (6) States that composed the zone. The only two States where he did not score up to one-quarter of the total votes cast in the zone were Yobe and Borno which were the traditional stronghold of the ANPP and the base of the Northern Political Leaders Forum (NPLF)

When compared to the performance of other candidates, it will be revealed that their performance had sectional outlook. For instance, the performance of the CPC flag-bearer, General Buhari, was quarantined. He only won at least one-quarter of the total votes cast in seventeen (17) Northern States without wining any in the South. This gave the picture that his party (CPC) had sectional (regional) outlook.

As regards Alhaji Nuhu Ribadu, the candidate of the CAN, his performance was likewise restricted to the South-West. He polled at least one-quarter of the total votes cast in only four (4) States. His note too good performance even in South-West was attributed to the last minutes 'alliance' between President Jonathan and Asiwaju Bola Ahmed Tinubu, the National leader of his party, ACN. The development swayed the purported votes of his party (ACN) to the PDP, the ruling party.

Buhari alleged irregularities in the election in the South, and accused INEC Chairman, Jega of failure to take action when officials from some of the Northern States alerted him on the malpractices during the election in the South. His Party subsequently challenged the election victory of President Jonathan on that ground (Ibrahim, Ajayi, Afolabi and Oladipo, 2011:4). The election Petition Tribunal Judgment of October 2011 however, upheld Jonathan's victory. This was after it dismissed the petitioner's case.

Apart from the litigation, there was also post-election violence in some Northern States during which time over five hundred (500) lives were lost. Mostly affected were Bauchi State (where ten (10) National Youthi Service Coirps Members-NYSC were murdered); Kaduna State; Kano State, and Niger State. But what agitated the minds of political analysts in the country then was the magic President Jonathan used in penetrating the 'core North'. For instance he defeated his archi-rival, Alhaji Atiku Abubakar in Adamawa, his (Atiku) home State during party primary and Presidential Election. The answer to this poser can however, be found in the power of incumbency and election arrangement which placed the presidential election before Gubernatorial (Governorship) election.

Gubernatorial/Governorship Elections

The Gubernatorial/Governorship elections and State house of Assembly Elections were held concurrently. The Gubernatorial polls were held on April 26, 2011 to elect Governors into the thirty six States in the Federation. Various parties presented candidates for the elections. Prominent among them were the PDP, CAN, CPC, ANPP, APGA, LP, PPA Allied Congress Party of Nigeria (ACPN) and National Conscience Party of Nigeria (NCPN). Some of these parties were the ruling parties in some States while other like CPC, and ACPN were the new comers into the race. But before the 2011 Gubernatorial elections, the PDP, which was the ruling party at the centre was in control of twenty seven (27) of the thirty six States of the

federation. It was followed by the CAN which controlled four (4) states, then ANPP three (3) states LP and APGA, one state each respectively.

Apart from the incumbent Governors of some states that have served for the second term, all other Governors were fielded by their parties for a second term. However, experiences revealed that the incumbent Governors of states that were about to complete their second term in office were instrumental for those who emerged during party primaries as Gubernatorial candidates. In the case of Ogun State, when its incumbent Governor, Gbenga Daniel, noted that the chance of his choice candidate, Isiaka Gboyega Nasir, was slim in the PDP, he made him to contest in a less popular party in the state, Peoples Party of Nigeria (PPN) where he emerged as the Governorship candidate of the party. The following were the states where the incumbent Governors were then about to complete their second terms in office and where 'fresh' candidates were fielded; Kwara, Ogun, Osun and Borno.

The incumbent Governors had undue advantage over others who were not political office holders when it came to winning the support of the electorate during the electoral process. However, the outcome of the election in some States revealed contrary expectation. At the end of the polls, some incumbent Governors who either contested the elections for a second term, or fielded candidates of the their choice, lost out to the candidates of the opposition parties. They included the following:

1. The then incumbent Governor of Oyo State, Adebayo Alao-Akala, of the PDP, who sought for a second term in office but was defeated by Abiola Ajimobi, the candidate of the ACN.
2. The then incumbent Governor of Nasarawa State, Aliyu Akwe Doma of the PDP who sought for a second term in office but was defeated by Tanko Al-Mukura, the candidate of the ACN.
3. In Zamfara State the then incumbent Governor Mahumud Shinkafi, who sought for a second term as the PDP candidate was defeated by Abdulaziz Yari, the ANPP candidate;
4. The then incumbent Governor of the Imo State, Orji of the PDP who sought for a second term was defeated by the APGA candidate, Rochas Okorocha; and
5. In Ogun State, the choice candidate of Gbenga Daniel, (the then Governor of the State), Isiaka Gboyega Nasir, who contested under the platform of the PPN was defeated by Ibikunle Amosun of the ACN.

Apart from the declared commitment of the incumbent President not to interfere in the affairs of the INEC, a number of reasons can be advanced for the losses suffered by the ruling party (PDP) and other interested party(ies) during the Gubernatorial Elections. However, at this juncture it is imperative to state that never in the electoral history of Nigeria had incumbent Governors/ruling party suffer-such big loses as during 2011 elections.

One of the reasons that can be advanced for the significant reduction in the influence of incumbency on the 2011 Guber polls was the enabling environment provided by the umpire (INEC) itself. Some Resident Electoral Commissioners (RECs) who had issues to grind with some opposition parties were either swaped or removed. A case in point was the REC of Ekiti State, Ayoka Adebayo, who was removed from office on the ground that she was the one who conducted the

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controversial Gubernatorial by-election in Ekiti State in April, 2009 INEC Chairman also directed RECs not to solicit for any logistic assistance from State Governors because some of them were to contest (and did contest) the 2011 Gubernatorial Election. Furthermore, INEC's directives to the voters that they could wait to witness the counting of votes after they have voted, helped matter. The decision of the commission to bar political office holders from monitoring elections prevented undue influence on the electoral officers by them. On his part, the INEC Chairman, Professor Attahiru Jega, assured the major electoral stakeholders that he was not working for any party or candidate in the elections. He was quoted to have stated that: "Everything we have done in the commission is targeted at the good intention of Nigeria. We have no vested interest. We are not partisan at all. Our attention is on the elections and we are happy that we are doing very well (Fabiyi and Alechenu, 2011:18)".

Another reason that can be advanced as being responsible for the low influence of incumbency on the electoral process then was the intra-party crisis that engulfed some political parties. This affected the electoral exploits of the then incumbent Governor of Oyo State, Adebayo Alao-Akala-led faction; and Teslim Folarin-led faction. The latter pitched its tent with an opposition party in the State, ACN, to ensure the defeat of the incumbent Governor, Adebayo oAlao-Akala, who was seeking a second term in office as the Governor of the State. Similarly, in Ogun State the ruling party, PDP became factionalized into the camps of the former President of Nigeria, Olusegun obasanjo and that of the then incumbent Governor, Gbenga Daniel. It was Obasanjo's faction that produced the PDP flag bearer (Adetunji Idowu Olurin) in the April elections. The failure of Daniel-led faction to make a head way made it to align itself with a less popular party in the state. PPN, which gave the Gubernatorial slot to Gbenga Daniel's godson, Isiaka Gboyega Nashir, who could not make a headway in the PDP. Other PDP members, who belonged to Gbenga Daniels's faction, contested various elections under the platform of the PPN. Therefore, by the time the April 2011 elections were held what used to be the block votes of the PDP were shared between the PDP and PPN. This paved way for ACN an hitherto opposition party in the state to win the Gubernatorial elections.

The situation in Zamfara State was not totally different from that Oyo and Ogun State. The then incumbent Governor of the State, Mahmud Shinkafi, who served as the Deputy Governor of the State under Governor Yerima between 1999 and 2007, was originally elected into the office under the platform of the ANPP. However, shortly after he came into office, he fell-out with his erstwhile boss and godfather, Yerima, and later decamped to the PDP in 2008. However, this study revealed that he took that decision being a son-in-law of the then incumbent President of the country, Musa Yar'Adua. His popularity could not however, match that of h is former boss who was elected a Senator of the Federal Republic of Nigeria in 2007 and who became popular in the State through the introduction of 'Sharia Law' (Islamic Law). Consequently, by the time he sought for a second term into the office, majority of the electorate in the state saw him as not only a 'traitor' but an anti-Sharia Law because it was alleged that Sharia law gave him the type of prominence he enjoyed under Yerima in the State.

The defeat of the then incumbent Governor of Nasarawa State could not be attributed to intra-party crisis. Rather, it can be attributed to the ideological stance of majority of the electorate in the State who considered the CPC, founded by General Buhari (rtd.) as a more pragmatic party that can provide an alternative leadership position of the people of Northern extraction. Those who were more religious or fanatical also found a haven in the party.

With regard to Imo State, the emergence of Okorocha of APGA as the State Governor and the defeat of the PDP candidate who was the then Governor of the State, could be attributed to two factors viz personality politics and regional politics. Okorocha can be said to have won the sympathy of majority of electorate in Imo State based on his age-long philanthropic activities. Furthermore, the people of the South-East appeared to have opted for a regional party just like their counterparts in North-East and South West.

Conclusion

This study has examined the incumbency factor in Nigerian elections with special emphasis on the 2011 elections. The purpose was to compare the experience of 2011 with past experiences with a view to determining whether the influence of incumbency on electoral processes in the country is either increasing or waining. However, before arriving at our conclusion, the paper started with an examination of the concept of 'incumbency'. The paper thereafter discussed the major elections either contested by incumbents or those supervised by them. This study revealed that perhaps because of the 'fear of tomorrow', an incumbent, will all things being equal, wish to be succeeded by someone he has 'tested and trusted'. In the case of 2011 elections, it was noted that the enabling environment provided by the major stakeholders (political executives, INEC and the electorate in particular) rendered the influence of incumbency insignificant in the electoral process. This development has positive implication for the country's democratic consolidation. It also explained the reason why some incumbents who lost elections to their opponents were magnanimous enough to congratulate the winners. A case in point was the then Governor of Oyo State, Alao-Akala, who was defeated by Ajimobi, the ACN candidate but who chose to congratulate him in writing, as soon as he (Ajimobi) was declared the winner of the election. Similarly, the defeated ACN candidate in Akwa Ibom State, Akpanudoedehe, congratulated the winner, Governor Akpabio, who was the then incumbent Governor in the State notwithstanding the pre-election crisis that enveloped the State. The foregoing is an indication that if the gains of the 2011 electoral process can be consolidated, incumbency will become an insignificant factor in the country's future electoral processes. However, in order to sustain the tempo and consolidate the gains, the following suggestion are hereby made for future electoral stakeholders in the country.

1. The role of incumbent governments in the electoral processes should be constitutionally defined and limited. For instance, the power of the president to constitute the Electoral Commission should be reviewed. As recommended by the electoral Reform Committee headed by Justice Uwais which the administration of President Yar'Adua set up in August 2009, the power to appoint the INEC Chairman and other National Officials of the Commission

should be severed from the office of the President, and given to the National Judicial Commission (NJC)

2. The Electoral Law of the country should bar political office-holders from monitoring elections. Rather, the task should be handled by a body to be known as the 'Electoral Transitional Committee' which will have serving judge of the Supreme Court as its Chairman with all the registered political parties that field candidates to contest elections having representatives in the committee.
3. There should be on the spot counting of votes and results declared by Electoral Officers at each polling unit after every election. This method was adopted in 2011 and it should be sustained if electoral fraud is to be checkmated in the country.

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