

Democracy Monitor
Challenges and Opportunities
in Nigeria's Democracy

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Institute for Peace and Conflict Resolution (IPCR) is a research centre, a think-tank and an agency to strengthen Nigeria's capacity for the promotion of peace, conflict prevention, management and resolution.

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PREFACE

Democracy Monitor is an ongoing project initiated by The Institute for Peace and Conflict Resolution (IPCR) in 2010. It is aimed at anticipating crises in the build up to the forthcoming General Elections in 2011. The project is an integral part of a broader process for anticipating challenges and opportunities that could lead to peaceful transformation of the security challenges in our democracy.

Democracy Monitor is also an independent initiative to provide information on the internal political brinksmanship, electoral evolution and human security issues around the democratic process while also pointing out rays of hope and opportunities for strategic actions by key stakeholders.

In most countries of the world, election periods are usually marked by increased political activities which are often likened to and sometimes leading to conflicts and violence as ruling and opposition parties battle for the support of the electorate. This is even more so in Nigeria where historically, elections have been characterized by very high mobilization of disaffection, leading to an overheated political process. The challenge, however, is to ensure that political competition around elections does not consume the polity in fruitless struggle but is kept within the bounds of order¹.

The second objective is to track and produce a comprehensive database of conflict early warning signals across the country taking into consideration the types and natures of conflicts both those that are peculiar to each of the six geo-political zones and those that cut across all the zones and have thus become national in context. The third objective is to provide an instrument for information sharing on potential threats to peace and security and

democratic growth that would feed into different needs of all stakeholders including state institutions and development agencies.

The project evolves through tracking and analyzing data from media reports on monthly basis.

It is hoped that by anticipating crises and the prompt responses to them the security agencies and other relevant institutions, organizations, and stakeholders would contribute to reduce conflictual situations.

It will also create an indigenous database for early warning signals on election-related conflicts and crucial political developments in the country that would also provide the needed guide for further research work by individuals and institutions on conflict dynamics in Nigeria.

Since it is a project that has the goal of conflict prevention in our society, comments that will help to enrich its content are welcome.

IPCR wishes to acknowledge the collaborative efforts of the Consultant, Roland Nwkwor, the Director and Staff of the Department of Democracy and Development Studies and selected staff of other Departments of IPCR in working as a team to produce the maiden issue of *Democracy Monitor*.

Joseph Golwa, Ph.D
Director General

Executive Summary

This publication reflects media reports on incidents in the month of March 2010 and examines issues under three conflict indicators. These are electoral democracy, governance and political security. There is also a general map of the country showing the rating of states according to conflict reports from the tracking.

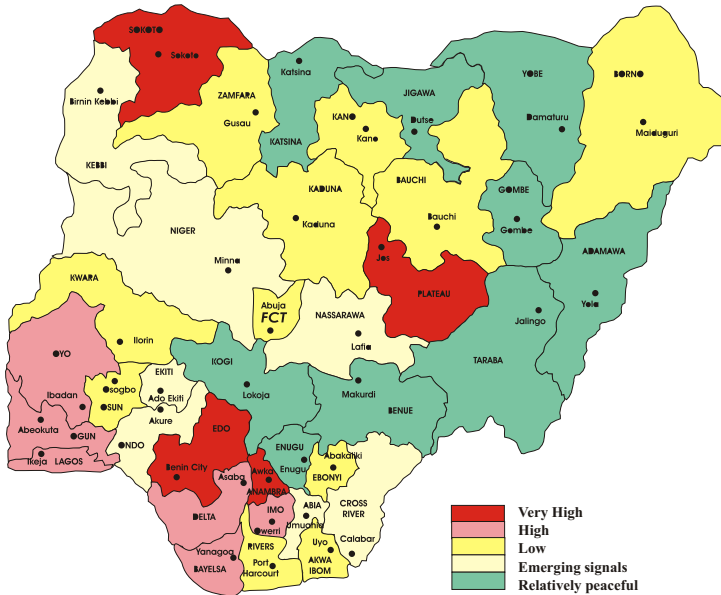
The presentation reviews some of the significant issues that held public discourse locally and internationally. While it may not be a comprehensive analysis of the entire conflict situation, it should be noted that emphasis was placed on political development and security issues that had, or could be manipulated into, political contexts of conflicts.

The conflict map explains the states' conflict status and proffers the reasons for such performance. Under electoral democracy, issues of the review of the 1999 Constitution, electoral reform, and preparation towards the 2011 General Elections were examined. Other issues that were equally analyzed were on election-related matters and political violence.

The Governance indicator had issues of the 2010 National Budget, the war against corruption, the Millennium Development Goals (MDGs), the Niger Delta Development and political administration.

The Political Security indicator examined issues of national security, killings, mass protests and the Jos crisis.

Priority States



General rating of states based on conflict tracking report

The conflict map is a representation of the ratings of the states across the country based on the incident reports from the database. As depicted above, Plateau, Anambra, Edo and Sokoto states ranked very high. The issues were ethno-religious killings in Jos, killings and the fallout of the gubernatorial election in Anambra State, killings, political crisis and activities of some ex-militant members in Edo State and the uncertainty over the postponed judgment on the protracted 2007 gubernatorial election petition in Sokoto State.

States in the high category were Bayelsa, Delta, Ogun, Oyo, Imo, and Lagos. The issues tracked in these states bordered on corruption in official quarters, political violence, unresolved electoral and political matters, communal crises and security lapses, all of which created an atmosphere of tension.

States having low conflict rating were Rivers, Kano, Bauchi, Borno and Osun. Others included Akwa Ibom, Ebonyi, Kaduna, Zamfara, Kwara and the Federal Capital Territory (FCT). States showing emerging signs of conflict are Nasarawa, Niger, Cross River, Abia, Ondo, Ekiti and Kebbi, while states with reasonable levels of stability include Taraba, Gombe, Yobe, Jigawa and Katsina. Others were Benue, Kogi and Adamawa.

ELECTORAL DEMOCRACY

Constitutional Review

Mixed reactions trailed the National Assembly's conclusion of amendments to some portions of the 1999 Constitution. The two chambers separately voted on the recommendations of their various committees on the Review of the 1999 Constitution, but not a few stakeholders have expressed misgivings about the credibility of the exercise.

Some basic issues that evinced from the exercise and which requires closer attention before the document is put in its final stages include the undying clamour for true federalism; call for the re-examination of the presidential system of government; the issue of moral integrity in cross-carpeting by elected and appointed executives; the issue of whether the document would survive a referendum, if put, owing to allegations that the exercise may have been done to satisfy certain interests.

Among some contentious issues in the amended constitution were Section 109, which has now been reviewed to remove some stringent conditions that had previously made carpet crossing a bit difficult^{2,3}, and the approval of independent candidature⁴. Also, the removal of panel indictment as basis for disqualifying candidates from election⁵, and the rejection of the Justice Muhammadu Lawal Uwais' Electoral Reform

Committee's recommendation on the appointment of the Chairperson of the Independent National Electoral Commission (INEC), were criticized as serving other purposes than the public interest^{6,7}.

The issue of true federalism and an appropriate system of government are yet to be settled and it is doubtful if the present Constitution Review exercise will address them. There is the fear that agitation for the return of true federalism, which is verged on confederacy, would be the panacea for evolving a just and equitable union, as proposed by the Action Committee for Restoration of Oduduwa Sovereignty (ACROS) and legal luminary, Chief Afe Babalola^{8,9}.

Electoral Reform

The international community has continued to press for genuine reform of the electoral process. The government has repeatedly assured that ensuring a credible electoral reform process is non-negotiable as such is critical to the performance and conduct of the 2011 General Elections. It is also being called upon to inaugurate a credible electoral management body as part of its prioritization of the electoral reform, as its *ne plus ultra*¹⁰. One emerging issue that may generate controversy is the stringent conditions that presidential candidates have to meet. A recommendation by the Ad-hoc committee on the Review of the 1999 Constitution of the House of Representatives, seeks to compel independent candidates to deposit N100 million with the Independent National Electoral Commission (INEC) and the requirement that they (independent candidates) must be nominated by at least 50 registered voters in two-third of all the electoral wards in Nigeria¹¹.

2011 General Elections

With the 2011 General Elections fast approaching, political activities have been stepped up. There were several meetings

convened for reconciliations of estranged political associates and new cleavages have also been formed. Though some are still shaky, emerging signals indicate that there would be some major ground-shifting and alliances in the coming months before the elections. Issues of zoning of political offices by the ruling party, emerging presidential candidates, the credibility of the election, and the fear of *godfatherism* have been of concern to stakeholders.

A mixed atmosphere still surrounds the 2011 polls. Expressing America's appreciation of the political progress so far made, Assistant Secretary, Bureau of African Affairs, Johnie Carson, however, observed that Nigeria is among African states where democracy remains "fragile or tenuous". He added that Nigeria still faces significant political challenges and uncertainty in the run-up to the 2011 general elections, and urged for improvement in its electoral system¹². Carson also said that the United States is concerned about Nigeria because of its importance to Africa and also to the United States and the international community¹³. In reaction, the Governor of Kwara State and Chairman of the Nigeria Governors' Forum (NGF), Dr Bukola Saraki, reassured everyone that everything will be done to sustain democracy in the country and urged all Nigerians to support the government¹⁴. It is also comforting that the Acting President, Dr Goodluck Jonathan, while admitting that poorly conducted elections had affected the image of the country, reiterated government's commitment to ensure credible elections and promised to promote open, fair and transparent election and the insistence on electoral justice¹⁵. The Independent National Electoral Commission (INEC) has also rolled out its timetable for the conduct of the 2011 general elections. It released two timetables for the presidential elections which fixes January 22, 2011 if the 1999 Constitution and the 2006 Electoral Act are amended or April 23, 2011, if they are not. This is coming as the Senate President David Mark said that the use of electronic voting machine for the election may not be feasible¹⁶.

On electoral security, the police said they have commenced special training for its officers and men to equip and prepare them with the necessary security strategy, ahead of the 2011 general elections. The police said the training is expected to build on the achievement recorded during the last election in Anambra State and ensure that the forthcoming elections is hitch-free in order to protect the nation's nascent democracy¹⁷.

To ensure the participation of all eligible voters, the need for the inclusion of people with disabilities in the 2011 elections was championed at a forum organized by the Association for Comprehensive Empowerment of Nigerians with Disability, in Ibadan, Oyo State. The forum aimed to protect the interest of the 19 million people living with disabilities in the coming general elections¹⁸. Similarly, INEC's Chairman, Professor Maurice Iwu, has proposed a "twinning arrangement", which will allow automatic tickets for women as deputies in some elective positions in the interest of national unity¹⁹. It is not certain if this proposal would be bought by the political parties, especially in a situation where the global policy affirmative action has not been fully adhered to.

Election Matters

The Governorship Election in Anambra State, held on February 6, 2010, was generally adjudged to be credible. However, some notable voices, including that of elder statesman and former Vice President, Dr Alex Ekwueme, faulted the exercise. Also, some candidates complained that the election did not comply with electoral guidelines and this has provided the ground for legal intervention. While Ekwueme said that only 16 per cent of the 1.8 million registered voters in the state were able to vote²⁰, the candidate of the Action Congress (AC), Dr Chris Ngige, said that Obi did not obtain the required 25 per cent of all the votes cast in two-thirds of the local governments in the state, which he

stressed, contravened Section 179(2)(a) and (b), and 179 (3) (a) and (b) of the 1999 Constitution²¹. Also, the candidate of the Better Nigeria Peoples Party (BNPP), Mr Valentine Onwugbufor, is praying for an order of the court directing INEC to conduct a fresh gubernatorial election in the state. Onwugbufor contends that INEC, which conducted the poll, was not properly constituted to organize a lawful poll because a Federal High Court in Lagos had already declared that INEC headed by Prof. Maurice Iwu, as currently constituted, was incapable of conducting any election as at the time the poll was held according to Sections 135, 154, 155 and 156 of the 1999 Constitution²².

Tension is building over the Supreme Court's directive to the Court of Appeal to shelve its plan to deliver judgment on the election petition filed by the Democratic Peoples' Party (DPP), against the election of Governor Aliyu Magatarkada Wammako of the Peoples' Democratic Party (PDP). While the DPP and the Nigeria Bar Association (NBA), are demanding that judgment be delivered^{23,24}, the Chief Justice of Nigeria, Justice Alloysius Katsina-Alu, had directed the postponement of the judgment. It would be recalled that the CJN had earlier queried the President of the Appeal Court, Justice Ayo Salami, and five other justices handling various cases on this petition, over some allegations of misconduct²⁵.

After spending almost three years in the Senate, the Court of Appeal sitting in Enugu, nullified the election of the Chairman of the Senate Committee on Education, Senator Joy Emordi, for being wrongfully declared the winner of the 2007 National Assembly election by the Independent National Electoral Commission (INEC). The court held that Chief Alphonsus Igbeke of the All Nigeria Peoples' Party (ANPP), was the winner and directed that he be sworn in as Senator representing Anambra North Senatorial District²⁶. And in the case of election petition against former Speaker of the House of Representatives, Hon. Patricia Etteh, the Court of Appeal

ordered the President of the Court of Appeal, Justice Ayo Salami, to constitute another panel to begin a fresh trial in the petition based on its conviction that there was an error of trial of the lower tribunal in the petition filed by the Action Congress (AC) candidate, Alhaja Ayo Omidiran²⁷.

Political Violence

Political violence is a manifestation of the level of intolerance, mixed with a certain degree of desperation and criminality, of some members of the political class. As in previous elections, a Chairmanship aspirant on the platform of the Action Congress (AC) in Oyo State, Hon. Taiwo Falade, has been reportedly murdered by gunmen at his Odo-Oba, Ibadan, residence, during a peace meeting among members of the party, which he hosted²⁸. Attacks on political opponents elsewhere have also been reported. In Abaji Area Council of the Federal Capital Territory (FCT), AC members protested over alleged incessant attacks on their supporters by thugs suspected to be sympathetic to the Peoples' Democratic Party (PDP)²⁹.

GOVERNANCE

Budget

The budget of N6.608 trillion was recently passed by the National Assembly for the 2010 fiscal year³⁰. Whatever are its merits and demerits, one issue that emanated from the process, was the input from the Revenue Mobilisation Allocation and Fiscal Commission (RMAFC). The Chairman of the RMAFC, Engr. Hamman Tukur, said the inclusion of constituency projects in the federal and state budgets for lawmakers was illegal and unconventional and also had negative impact on the economy. RMAFC also called for a strict time-frame for the budgeting process for the executive and the legislature. This observation is very appropriate because the constituency projects often amounted to duplication of projects and forms basis for corruption³¹.

War Against Corruption

The war against corruption has been intensified, and despite attacks on its operatives, the Economic and Financial Crimes Commission (EFCC), said that it will not be deterred from carrying out its responsibilities³². The Commission is also receiving more encouragement and support from the government and the general public. Some members of the National Assembly are working to remove all legal and constitutional impediments stalling the progress of the anti-corruption war³³. The Lagos State Chief Judge, Justice Inumidun Akande, assigned 10 judges to adjudicate anti-graft cases instituted by the EFCC, to ensure speedy dispensation of justice delivery in all criminal matters bordering on corruption³⁴.

Millennium Development Goals (MDGs)

The Federal Government said that it is making progress in the attainment of the Millennium Development Goals (MDGs). About N320 billion was spent on MDG projects throughout the country between 2006 and 2008, while N96.5 million was spent to boost mass literacy programmes in the country^{35,36}.

Niger Delta Development

In its bid to maintain the peace process in the Niger Delta region, the Federal Government said it has taken proactive steps in ensuring the speedy development of the area. These also include the adherence to the amnesty deal, cleaning up of oil spill sites, and development of basic infrastructures that would add meaning to the lives of the indigenes of the local communities. The government said it has released the sum of N8 billion for the rehabilitation and re-integration of 20,192 ex-militants³⁷. Another N18 billion has also been approved for the construction of six inter-state roads in the region³⁸, and it has also commenced measures aimed at ensuring that 2,405 oil-

impacted sites in the region undergo proper remediation and sustainable restoration³⁹.

Political administration

Political tension was heightened when ailing President Umaru Musa Yar'Adua returned to the country, after three months' medical treatment in Saudi Arabia, in *unpresidential* circumstances. In this confused situation, sharp divisions arose as to whether to impeach the President in order to confirm Acting President Goodluck Jonathan as President, or not. Positions ranging from the ridiculous to the extreme were canvassed. However, the National Assembly maintained a focused understanding of the complexity of the issues and stood by the Acting President and stabilized the polity.

With such confusion going on, the concern raised by the United States of America, the United Kingdom, the European Union, and others, on Nigeria's democratic process, to a greater extent, helped in calming the situation^{40,41,42}.

Another issue that attracted headlines was the dissolution and reconstitution of the Executive Council of the Federation. Three reasons were adduced for the dissolution. One, it had become glaring that the cabinet was sharply divided in its loyalty one group to ailing President Yar'Adua, and the other to Acting President Jonathan. The second reason was that the government needed a strong steam to deliver on its promises when the budget is passed, and thirdly, there was need for Jonathan to assert his authority⁴³.

POLITICAL SECURITY

National Security

Following the political uncertainty that enveloped the country by the alleged poor management of the ill-health of President Umaru Musa Yar'Adua, certain events indicated that Nigeria

was sitting on a precipice. There were unconfirmed reports of plots to destabilize the government^{44,45}, which added an international dimension with the report that Libya's leader, Muamar Ghaddafi, called for the dismemberment of Nigeria along religious and ethnic lines⁴⁶. Even as the government reacted by recalling its ambassador to Tripoli, for consultations⁴⁷, some people are of the opinion that Ghaddafi's call should be given serious consideration, given the increasing sophistication of killings in the name of religion and ethnicity that have defied several solutions in some parts of the country⁴⁸.

Apparently to strengthen national security, Acting President Goodluck Jonathan replaced the National Security Adviser to the President, Major-General Abdul Sarki Mukhtar (rtd) with his predecessor, Lt.-General Aliyu Mohammed Gusau (rtd)⁴⁹. Several people regard this appointment as a step in the right direction following General Gusau's impressive security antecedents and credentials.

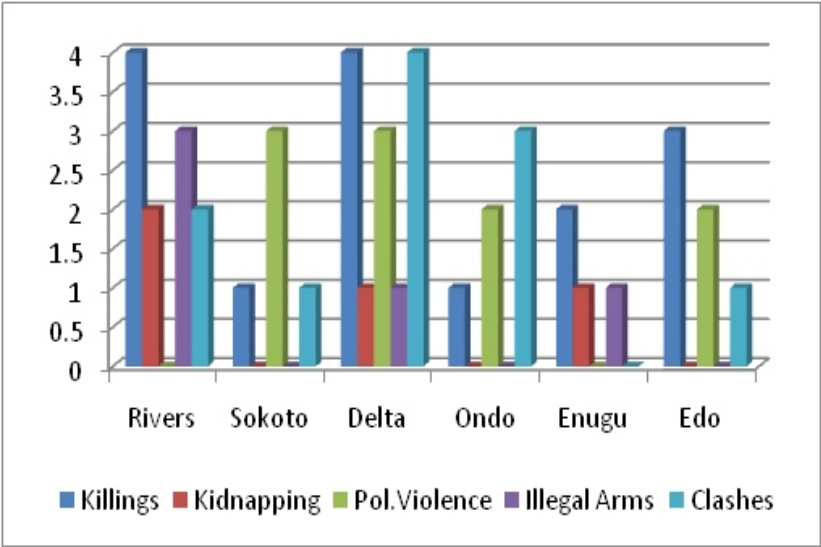
Killings

The concern over the high rate of insecurity in the country, continue to rise. Recently, the United Nations dispatched a special envoy to Nigeria to gather information on potential causes of genocide and help identify how the international community can prevent such a scourge in Nigeria⁵⁰. The Petroleum and Natural Gas Senior Staff Association of Nigeria (PENGASSAN) also issued a 14-day ultimatum to the Federal Government to fish out the killers of two of their members who were abducted from Edo State and later found dead in a bush in Delta State⁵¹.

From the tracking, a total of 34 persons were reportedly killed in March, 2010. This number does not include those killed in the ethno-religious crisis in Jos. The states affected, in order of severity, are Ebonyi, Anambra, Ogun and Edo. Others are

Rivers, Delta, Enugu, Ondo, Oyo and Sokoto. Also, 10 houses were reportedly razed down in Bodo, Gokana Local Government Area of Rivers State⁵². The bomb explosions at the Delta State Government House Annexe, Warri, was a surprise to many supporters of the amnesty programme. On Monday, March 15, 2010, three bombs exploded at a conference organised by the Delta State government, in conjunction with Vanguard Media, entitled "Post-Amnesty Dialogue - Restoring Hope in the Niger Delta." Reports said two persons were killed and several others seriously injured, while Governors Adams Oshiomhole, Ikedi Ohakim and Emmanuel Uduaghan, scampered to safety⁵³. The Movement for the Emancipation of the Niger Delta (MEND), claimed responsibility for the bomb explosions.

In the chart below, six states, namely; Rivers, Sokoto, Delta, Ondo, Enugu and Edo, had a combination of three or more issues of security problems, while the security issues in other states were only one.



States showing more three or more security issues

Mass Protests

Mass protests in support or against the call to impeach President Umaru Musa Yar'Adua continued up to early March⁵⁴. The Nigeria Labour Congress (NLC) also staged a protest for the removal of the Chairman of the Independent National Electoral Commission (INEC), Professor Maurice Iwu⁵⁵. Some members of the Movement for the Actualization of the Sovereign State of Biafra (MASSOB), disrupted commercial activities in Onitsha during its protest march for the release of its detained leader, Chief Ralph Uwazurike⁵⁶. And in Delta State, protesters, mainly women and youths from Oleh, headquarters of Isoko South Local government Area, shut down facilities of the Nigerian Agip Oil Company (NAOC) to register their displeasure over the company's alleged failure to rename an oil well to reflect the identity of their community⁵⁷. Some former militants went to the extra length of holding staff and students of a girls' secondary school in Benin, Edo State, hostage, over alleged non-documentation by those in charge of documentation in the Federal Government's Amnesty programme. This action disrupted the second term examinations and other academic activities in the school⁵⁸.

The police were commended for providing adequate security for all the protest groups - a clear departure from the tradition of setting up obstacles to groups who were labeled "anti-government". The police it was their duty to provide security cover to all Nigerians because, according to them, "Nigerians have right to protest"⁵⁹.

Jos Crisis

The violence, which rocked part of Jos, capital of Plateau State, in early January 2010, later spread to its environs in March, despite all peace efforts, claiming hundreds of lives and property worth millions of Naira. As governments continue to find lasting solutions, one consensus opinion on the frequent

recurrence of the violence is the prevailing culture of impunity of past offenders and the inability of government to implement the recommendations of previous reports of investigating panels. Also, the General Officer Commanding (GOC), 3rd Armoured Division, Jos, Major General Saleh Maina, said that there has not been any sincere effort to decisively resolve the issues in the crisis⁶⁰. Similarly, the Action Congress (AC), said that only "concrete action to stop the cycle of impunity, rather than crocodile tears, will end the mayhem."The AC said the government should arrest and prosecute the sponsors and perpetrators of the killings⁶¹.

Though Christians and Muslims, indigenes and settlers trade blames, other observers say the problems are politically motivated. However, whatever the issues are, the crisis has now created more social problems both for the state and its neighbours. The police said that the state is now polarized into two such that there are some areas where Muslims cannot go while Christians cannot go to some other areas⁶².

The effects of the violence are not only being felt by the state, but also across the country. For example, the House of Representatives asked the Federal Government to establish a Truth and Reconciliation Committee that would reconcile the warring parties to avoid recurrence while the Senate asked the government to publish and implement all reports on the various crises in Jos and to also implement their recommendations⁶³.

The Imo State House of Assembly passed a resolution urging the National Youth Service Corps (NYSC) to halt posting indigenes of the state to serve in Plateau State until the security situation is improved⁶⁴. The action of the NYSC, which reportedly redeployed about 665 corps members from Plateau over "prevailing poor security situation in Jos", may have been improperly conceived as 351 other corps members displayed rare courage and patriotism by remaining behind - an action that was promptly rewarded by the state government⁶⁵.

Several suggestions have been made on the way forward. These range from calls for the intervention of the international agencies^{66,67}, to the demand that severe sanctions be meted out on masterminds⁶⁸, and to the posting of armed civil defence personnel to conflict-prone communities⁶⁹. Senators and members of the House of Representatives from the North have set up committees to assess and intervene and resolve the crisis to forestall its spread⁷⁰. Also, former governor of the state and Chairman of the presidential advisory committee on the crisis, Chief Solomon Lar, in his interim report to the Federal Government, recommended, amongst other things, that Governor Jonah Jang should hold a meeting with his colleagues in eight neighbouring states as well as with the Sultan of Sokoto, "Alhaji Muhammadu Sa'ad, in a bid to find a way out of the sectarian violence that has bedevilled the state over the years⁷¹.

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