

CYBERBULLYING AND BIGOTRY AS HUMAN RIGHTS VIOLATIONS: THE NEED FOR STRONGER DIGITAL RIGHTS PROTECTION IN NIGERIA*

Abstract

The internet has brought a lot of benefits to mankind, providing the foundation for numerous platforms that enable human interaction and communication. The social media platforms, enabled by the internet, amplify voices that would otherwise go unheard, allowing activists, commentators, and even ordinary citizens to express their views without any inhibition. Sadly, these beautiful tools are sometimes weaponised, providing the environment for cyberbullying and amplification of bigotry, allowing the political class to push divisive narratives that eventually assist their personal interests, and exacerbating the tensions previously confined to the offline world. Nations like Nigeria, that has always lived in religious and ethnic tensions, have seen a rise in cyberbullying and bigotry. This article decries the human rights violations that are infringed upon while people engage in cyberbullying and bigotry. The article points out gaps and challenges in the existing legal framework, argues for more robust protection of these inalienable human rights, and advocates greater efficiency in creating a cyberspace that protects users and the entire nation from the ills of cyberbullying and bigotry. This article calls for efficient legislative intervention, stronger institutional capacity and private sector regulation that will provide better digital rights protection for users.

Keywords: Cyberlaw, Human Rights, Cyberbullying, Bigotry, Social Media

1. Introduction

The rise of the digital age has deeply changed human communication, interactions and expressions. The internet and social media have democratised the spread of information, expanded the frontiers of participation in governance, and improved global connectivity.¹ But the same digital space that has fostered inclusiveness and civic participation has also become a platform for hostility, discrimination and abuse.² Cyberbullying and digital bigotry, which are often expressed through hate speech, online harassment and targeted misinformation, have become pressing social and legal problems across Africa, with Nigeria at the centre of this digital calamity.³ Cyberbullying, which involves the use of electronic communication to threaten, intimidate or harass individuals, is further exacerbated by anonymity or pseudonymity.⁴ Bigotry, on the other hand, which is intolerance and prejudice, often based on race, religion, gender, ethnicity or political belief, is further aggravated by the internet.⁵ In Nigeria's ethnically and religiously diverse society, the intersection of both phenomena online has deepened social divisions and exposed structural weaknesses in protecting human dignity and equality in cyberspace. Victims of cyberbullying and bigotry suffer not only reputational damage but also emotional trauma, social exclusion and even deaths, which are harms that strike at the very core of constitutionally and internationally guaranteed human rights.⁶ The Nigerian legal landscape has not adequately kept pace with these new forms of digital abuse. Although statutes such as the

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¹ BE Umoh 'Social Media as a Catalyst for Democratization and Good Governance in Nigeria' <5364613.pdf> accessed 10 October 2025.

² *Ibid.*

³ S Banaji and R Bhat, *Social Media and Hate* Routledge Focus 2022.

⁴ *Ibid.*

⁵ J Glaser and KB Kahn, 'Prejudice, Discrimination, and the Internet' <Microsoft Word - intprej draft 070104.doc> accessed 11 October 2025.

⁶ *Ibid.*

Cybercrimes Act 2015 and Violence Against Persons Act 2015 provide limited coverage, the lack of comprehensive digital rights legislation leaves individuals vulnerable to violations. Additionally, weak enforcement, poor judicial awareness and the tension between safeguarding free speech and curbing online abuse further complicate the human rights response.

This paper argues that cyberbullying and bigotry constitute serious human rights violations, threatening the right to dignity, equality, free expression and privacy. It contends that stronger digital rights protection, through legislative reform, regional cooperation and institutional capacity building, is urgently needed in Africa, especially in Nigeria, to ensure the internet remains a space of inclusion, not oppression.

2. Understanding cyberbullying and bigotry

Cyberbullying means hurting someone repeatedly, through digital tools such as social media, messaging apps, and email.⁷ It includes things like online harassment, impersonation, doxxing,⁸ revenge porn, and hate campaigns.⁹ Unlike in-person bullying, cyberbullying crosses physical lines, allowing the victim to be targeted anytime, amplifying the speed and precision of the digital spread. In Nigeria, the word became pronounced following the growing online abuse of journalists, women, political opponents, critics and activists.¹⁰ For example, the #EndSARS protests of 2020 exposed widespread online harassment of protesters and dissenting voices.¹¹ Yet Nigeria's cybercrime law remains largely silent on the specific crime of cyberbullying, making prosecution depend on general provisions against harassment or defamation.¹²

Bigotry, on the other hand, is a kind of bias that comes up as stubborn intolerance of people or groups based on their identity, belief, or orientation.¹³ In the online world, bigotry often appears as hate speech, ethnic slurs, misogynistic comments, and religious intolerance.¹⁴ African societies, with their different social and cultural identities, are especially prone to online bigotry that reflects offline tensions.¹⁵ Online bigotry in Nigeria has fuelled ethnic hostility, false information, and hate-motivated violence.¹⁶ Social media sites like X (formerly Twitter) and Facebook are often battlefields for political and religious intolerance.¹⁷

⁷ 'What is Cyberbullying' <What Is Cyberbullying | StopBullying.gov> accessed 1 November 2025.

⁸ Doxing is a type of cyberbullying in which targeted people are harassed, exposed, financially harmed, or exploited in various ways using private or sensitive data, statements, or documents. See 'What is Doxxing' <What Is Doxxing? What Does It Mean to Dox Someone? | Fortinet> accessed 1 November 2025.

⁹ <<https://www.un.org/en/observances/ending-violence-against-women-day>> accessed 1 November 2025.

¹⁰ O Samuel 'Cyberbullying and the Nigeria social media' <Cyberbullying And The Nigeria Social Media | by Oliver Samuel | Medium> accessed 1 November 2025.

¹¹ TH Dambo et.al 'Nigeria's #EndSARS movement and its implication on online protests in Africa's most populous country' *Journal of Public Affairs* Vol. 22 No. 3, 2020, 1-11.

¹² See Section 24 of the Cybercrime (prohibition, prevention, etc.) Act, 2015.

¹³ 'Bigotry' <BIGOTRY Definition & Meaning - Merriam-Webster> accessed 1 November 2025.

¹⁴ N Chetty and S Alathur 'Hate speech review in the context of online social networks, Aggression and Violent Behavior, Vol. 40, 2018, 108-118.

¹⁵ M Cumanzala and C Logan 'AD940: Africans struggle with interethnic trust but embrace coexistence' <AD940: Africans struggle with interethnic trust but embrace coexistence – Afrobarometer> accessed 11 October 2025.

¹⁶ EO Agha 'Hate speech in Nigeria: A sociological analysis of causes and consequences' *Journal of Sociology, Psychology and Anthropology in Practice* Vol. 11, 2022, 99-117.

¹⁷ There are persons apparently recruited to daily throw tribal invectives at other tribes. For example, a certain person with the pseudonym - Chefchenko (@AdemolaOgudu), whose mainstay is bigotry on Twitter (now X), having admitted to being a tribal bigot (see for example

The Nigerian government's 2021 ban on Twitter, though controversial, was partly justified by claims of the platform being used to spread divisive speech, a sign of the state's uneasy balance between regulation and human rights protection.¹⁸

3. Defining Human Rights in the Digital Age

Human rights are universal rights everyone has just because they are human. The Universal Declaration of Human Rights UDHR 1948, the International Covenant on Civil and Political Rights ICCPR 1966, and the African Charter on Human and Peoples' Rights ACHPR 1981 form the basis of these rights. The digital age has, however, expanded their meaning, recognising that the same rights people have offline should also be protected online.¹⁹ The United Nations Human Rights Council UNHRC affirmed this idea in Resolution 20/8 2012, which makes it clear that rights such as privacy, expression, and association extend to the internet.²⁰ As a result, cyberbullying and bigotry online can amount to violations of these rights when derogated. Digital rights are, therefore, human rights within the digital environment.²¹ They include the rights to access information, privacy, data protection, digital security, freedom of expression, and protection from online abuse.²² In Africa, digital rights are increasingly seen as key to democratic participation and socio-economic development.²³ But most African legal systems, including Nigeria's, have yet to fully adopt these digital rights in enforceable laws, and when adopted, are mostly left unenforced by weak institutions.

4. Cyberbullying and Bigotry as Emerging Human Rights Concerns

The digital revolution has given rise to a 'virtual public sphere' that enables citizens to communicate with one another, mobilise for causes, and hold governments accountable. However, that same sphere has also become a hostile space for many users. The anonymity, speed, and viral nature of social media interactions have emboldened perpetrators of online abuse and hate.²⁴ In Nigeria, where social media has become a primary source of information and political engagement, the spread of digital hostility reflects deep social fissures. Examples of online mob action, cyber harassment of journalists, and coordinated attacks on dissenters show a broader culture of intolerance.²⁵ The online targeting of

<<https://x.com/AdemolaOgudu/status/1956482927300321355?t=J0UHdLxk4bC9dTTk8hCqpw&s=19>> accessed 2 November 2025), in response to a visual remake of the killings of Igbos in Kano (which led to the Biafran war), stated on Twitter that 'another one will happen in Lagos sooner'. See <<https://x.com/AdemolaOgudu/status/1973489495489274354?t=9EJpj0UjU-FBFjdz62IHxw&s=19>> accessed 2 November 2025.

¹⁸ 'Human rights in the digital age' <Human rights in the digital age | OECD> accessed 13 October 2025.

¹⁹ 'The promotion, protection and enjoyment of human rights on the Internet : resolution / adopted by the Human Rights Council' < The promotion, protection and enjoyment of human rights on the Internet :> accessed 2 November 2025.

²⁰ <Human Rights Documents> accessed 2 November 2025.

²¹ *Ibid*

²² Resolution 20/8 2012 'Affirms that the same rights that people have offline must also be protected online, in particular freedom of expression, which is applicable regardless of frontiers and through any media of one's choice, in accordance with articles 19 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights'. See <The promotion, protection and enjoyment of human rights on the Internet:> accessed 3 November 2025.

²³ E Domingo and LT Shiferaw 'Digitalisation and democracy: Is Africa's governance charter fit for the digital era' <Digitalisation and democracy: Is Africa's governance charter fit for the digital era? ECDPM Discussion Paper 331> accessed 3 November 2025.

²⁴ B Dhiman 'Ethical Issues and Challenges in Social Media: A Current Scenario' < Ethical Issues and Challenges in Social Media: A Current Scenario | Open Access Journals> accessed 2 November 2025.

²⁵ The Nigerian digital space has seen a surge of online attacks on certain Presidential Candidates, especially Peter Obi, that lost the 2023 Presidential elections. See V Terhemba 'How totalitarianism of opinions, perspectives threatens democratic plurality in Nigeria' <How totalitarianism of opinions, perspectives threatens democratic plurality in Nigeria | TheCable> accessed 4 November 2025.

women, religious minorities, and political opponents shows how fragile the country's democratic ethos is and underscores the need for digital accountability measures.²⁶ Unfortunately, the harm caused by cyberbullying and bigotry goes beyond the digital space. Victims often experience psychological trauma, social isolation, loss of livelihood, and even suicidal tendencies.²⁷ These impacts directly violate the right to human dignity guaranteed under Section 34 of the Constitution of the Federal Republic of Nigeria 1999 as amended, which provides that every person shall be entitled to respect for the dignity of his person. Online abuse targeting individuals based on ethnicity, religion, or gender also violates the constitutional right to freedom from discrimination under Section 42 of the Constitution of the Federal Republic of Nigeria. Also, the African Charter on Human and Peoples' Rights,²⁸ ratified and domesticated in Nigeria through the African Charter Ratification and Enforcement Act, reinforces these protections, especially in Articles 2, 3, and 5, which guarantee equality, dignity, and protection from discrimination. Thus, cyberbullying and bigotry are not just social nuisances; they are actionable violations of human rights, requiring state responsibility for prevention, protection, and redress.

5. Bigotry as an Extension of Offline Discrimination Online

The digital space reflects the society its users come from. Nigeria's complex ethno-religious makeup means that offline prejudices inevitably appear online. Hate speech between ethnic groups, such as Yoruba versus Fulani, or Christian versus Muslim hostilities, has been amplified by algorithmic echo chambers that reward sensational content.²⁹ Subscribers who seek online engagements easily latch onto such divisive discourse to increase engagement on their page. Such digital hostility hurts national unity and peace, which are key aims under section 15(5) of the Nigerian Constitution, requiring the state to abolish all corrupt practices and abuse of power, including discriminatory conduct.³⁰ Online bigotry, therefore, is a failure of both social cohesion and constitutional commitment to equality. The Nigerian cyberspace has seen many incidents of targeted harassment and digital hate. During the 2019 and 2023 general elections, social media platforms were full of ethnic slurs, fake news, and personal attacks on candidates.³¹ Women politicians and activists such as Aisha Yesufu and Funke Adedoyin were subjected to intense online vilification, much of which was gendered and threatening. Similarly, journalists and bloggers critical of government policies, like Agba Jalingo and Rufai Oseni, have been victims of both state-sponsored online harassment and public mob attacks. These cases illustrate how digital spaces can be weaponized to silence dissent and perpetuate discrimination, thereby violating the right to freedom of expression under Section 39 of the 1999 Constitution of the Federal Republic of Nigeria and Article 9 of the African Charter on Human and Peoples' Rights.

²⁶ 'White Paper on the Framework for an Online Harms Protection Bill in Nigeria' <https://nitda.gov.ng/wp-content/uploads/2024/12/Updated-OHP-WHITE-PAPER-copy-compressed.pdf> accessed 4 November 2025.

²⁷ *Ibid.*

²⁸ See <36390-treaty-0011_-_african_charter_on_human_and_peoples_rights_e.pdf> accessed 6 November 2025.

²⁹ A Oveimeh-Brown 'How algorithms amplify tensions and truth on Nigeria's social media' <How algorithms amplify tensions and truth on Nigeria's social media - Prime Progress NG> accessed 6 November 2025.

³⁰ Section 15(2) of the 1999 Constitution of the Federal Republic of Nigeria also provides that '*Accordingly, national integration shall be actively encouraged, whilst discrimination on the grounds of place of origin, sex, religion, status, ethnic or linguistic association or ties shall be prohibited.*'

³¹ Obasiohia R 'ANALYSIS: Social media users deploy ethnic hate speech, disinformation ahead of Nigeria's 2027 elections' <ANALYSIS: Social media users deploy ethnic hate speech, disinformation ahead of Nigeria's 2027 elections - Dubawa> accessed 6 November 2025.

6. Negative consequences of Cyberbullying and Bigotry

As the digital age transforms how people communicate, it also revives old prejudices. Cyberbullying and bigotry now travel at the speed of light, carried through social media posts, comment sections and private messages. What once required physical presence now unfolds continuously on screens, reaching far wider audiences and leaving lasting scars. The consequences are not merely emotional or symbolic. They are deeply human, and in some cases, deadly. As previously pointed out, one of the most immediate effects of cyberbullying is psychological harm meted on victims who often experience anxiety, depression, humiliation and isolation. Unlike traditional bullying, there is no safe place to escape, resulting in declining academic or work performance, broken relationships and long-term mental health struggles. In severe cases, persistent online harassment has contributed to self-harm and suicide. When cyberbullying is driven by bigotry, whether based on ethnicity, religion, nationality, race or gender, its impact becomes even more destructive. Such attacks do not merely target individuals; they attack identity and properties. Victims are made to feel that they do not deserve to exist within their own society.³² Over time, this dehumanisation erodes social trust and encourages silence, fear and withdrawal from public life.

History and recent events confirm that language is not harmless. Dehumanising words often prepare the ground for physical violence. Ethnic insults, stereotypes and online campaigns of hate have preceded riots, assaults and killings.³³ Deaths from ethnic comments do occur, either through direct attacks motivated by hatred or through the psychological collapse of those relentlessly targeted.³⁴ There is a connection between hateful speech and real-world harm. Across the world, xenophobic violence has followed this pattern. In South Africa, online hostility toward African migrants has repeatedly spilt into the streets, resulting in looting, arson and murder.³⁵ In Europe, digital hate campaigns against migrants and religious minorities have been followed by attacks on mosques, synagogues and refugee housing.³⁶ In Myanmar, ethnic hatred spread online, contributing to mass violence and the displacement of the Rohingya population.³⁷ In the United States, a surge in anti-Asian online abuse during the COVID-19 pandemic was followed by physical assaults, some fatal.³⁸ Beyond the human suffering, the institutional and economic costs are severe. Governments expend

³² A certain Twitter (now X) user, with the pseudonym Ayo (@mariolexxx), posted several messages within 24 hours denigrating the Igbo tribe of Nigeria. The posts include ‘Abeg let us report ibo people to trump before they kpai us with fake drinks. Make baba just launch one missiles to the whole of southeast’ see <<https://x.com/i/status/2004812014770954360>>; ‘5 billion naira fake drinks destroyed in ibo land, I hope Lagos state government can chase ibo people commot from Lagos before they kpai us finish’ See <<https://x.com/i/status/2004689571695755610>>; ‘Yoruba men need to stop bringing ibo blood to southwest, stop getting married to them, it’s affecting us. Imagine your son or daughter wake you up with slap every morning or you give birth to a daughter with hairy chest and mustache including yam leg’ See <<https://x.com/i/status/2004999375760527750>> all accessed 27 December 2025.

³³ J Bayer and P Bard ‘Hate speech and hate crime in the EU and the evaluation of online content regulation approaches’ <Hate speech and hate crime in the EU and the evaluation of online content regulation approaches> accessed 27 December 2025.

³⁴ *Ibid.*

³⁵ B Dratwa ‘Digital xenophobia is on the rise in South Africa’ <Digital xenophobia is on the rise in South Africa - Africa at LSE> accessed 27 December 2025.

³⁶ D Engel et.al ‘Xenophobia, Radicalism, and Hate Crime in Europe’ <395336_1.pdf> accessed 27 December 2025.

³⁷ L Hogan ‘Myanmar, ethnic hatred spread online, contributing to mass violence and the displacement of the Rohingya population’ <Revealed: Facebook hate speech exploded in Myanmar during Rohingya crisis | Myanmar | The Guardian> accessed 27 December 2025.

³⁸ A Do ‘Asian Americans have been verbally and physically attacked, shunned during pandemic, study shows’ <Study shows rise in anti-Asian attacks during COVID-19 - Los Angeles Times> accessed 27 December 2025.

enormous resources responding to unrest and hate crimes.³⁹ Schools, workplaces and communities lose productivity as fear and trauma take hold.⁴⁰ Public discourse deteriorates, extremism grows, and democratic trust weakens.⁴¹ These realities demand urgent action. Nations must wake up and nip this harmful activity in the bud.

7. Legal and Human Rights Framework

The recognition that human rights apply online as they do offline is now firmly established in international law. The Universal Declaration of Human Rights (UDHR) guarantees in Article 1 that all human beings are born free and equal in dignity and rights, and in Article 19 that everyone has the right to freedom of opinion and expression.⁴² The International Covenant on Civil and Political Rights (ICCPR) expands these guarantees, particularly through Articles 17 and 19, which protect privacy and freedom of expression, respectively.⁴³ The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)⁴⁴ and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) further oblige state parties to eliminate all forms of hate and discrimination, and these obligations extend to the digital environment.⁴⁵ The United Nations Human Rights Council Resolution 32/13 2016⁴⁶ explicitly recognises the need to protect human rights online, affirming that the same rights that people have offline must also be protected online. Nigeria, being a party to these instruments, bears the obligation to adopt legislative, policy, and judicial measures to combat cyberbullying and digital bigotry.

At the regional level, the African Charter on Human and Peoples' Rights remains the cornerstone of human rights protection in Africa. Its emphasis on dignity, equality, and solidarity provides the moral and legal framework for addressing online hate and abuse. The African Commission on Human and Peoples Rights has, through its Resolution 362 2016⁴⁷ on the Right to Freedom of Information and Expression on the Internet, called on States to ensure that the internet remains a safe and open platform for all users. The African Union Convention on Cyber Security and Personal Data Protection Malabo Convention, 2014,⁴⁸ further addresses cybercrime, data protection, and online abuse, though its implementation across member states has been uneven.⁴⁹ Nigeria has signed but not ratified the

³⁹ B Archibong, T Moerenhout and E Osabuohien 'Protest matters: The effects of protests on economic redistribution' <brookings.edu/wp-content/uploads/2022/04/Protest-Matters-Final_April-2022.pdf> accessed 27 December 2025.

⁴⁰ *Ibid.*

⁴¹ B Antola The impact of online hate speech on democratic quality: A case study from Europe, MA Theses, UNIVERSITÀ DEGLI STUDI DI PADOVA, Padua, Italy, 2024.

⁴² <Universal Declaration of Human Rights | United Nations> accessed 7 November 2025.

⁴³ <International Covenant on Civil and Political Rights | OHCHR> accessed 7 November 2025.

⁴⁴ 'Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979' <Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979 | OHCHR> accessed 8 November 2025.

⁴⁵ 'International Convention on the Elimination of All Forms of Racial Discrimination' <International Convention on the Elimination of All Forms of Racial Discrimination | OHCHR> accessed 9 November 2025.

⁴⁶ <The promotion, protection and enjoyment of human rights on the Internet:> accessed 9 November 2025.

⁴⁷ 'Resolution on the Right to Freedom of Information and Expression on the Internet in Africa - ACHPR/Res.362(LIX)2016' <Resolution on the Right to Freedom of Information and Expression on the Internet in Africa - ACHPR/Res.362(LIX)2016 | African Commission on Human and Peoples' Rights> accessed 10 November 2025.

⁴⁸ <au.int/sites/default/files/treaties/29560-treaty-0048_-_african_union_convention_on_cyber_security_and_personal_data_protection_e.pdf> accessed 10 November 2025.

⁴⁹ MA Bouke et.al 'African Union Convention on Cyber Security and personal data protection; Challenges and future directions <2307.01966> accessed 10 November 2025.

Convention, reflecting a lag in regional compliance that weakens continental efforts to safeguard digital rights.⁵⁰

With particular reference to Nigeria, Nigeria's principal legal framework for online conduct is the Cybercrimes Prohibition, Prevention, etc. Act 2015. While the Act criminalises cyberstalking, identity theft, and computer-related offences, it falls short of explicitly addressing cyberbullying or hate speech motivated by bigotry. Section 24 (1) of the Act prohibits sending offensive messages through computer systems with the intent to cause annoyance or insult,⁵¹ yet its vague wording raises constitutional concerns for infringing freedom of expression. There have been inconsistencies concerning judicial interpretation of this provision. In *Okedara v. Attorney-General of the Federation*⁵², the Court of Appeal considered whether constitutional free speech guarantees, were violated by Section 24 of the Cybercrime Act. The Court of Appeal, however, upheld its validity, albeit within reasonable limits. Regardless, victims are left with limited remedies, owing to a lack of a clear statutory definition of cyberbullying. The Violence Against Persons (Prohibition) Act 2015 provides some measure of protection against harassment, but its emphasis on physical violence fails to cover digital abuse.⁵³ Similarly, the 2019 Nigerian Data Protection Regulation (NDPR) provides some safeguards against privacy but lacks enforcement measures that are strong enough to counter online abuse. Law enforcement agencies, particularly the Nigerian Police Force and the National Information Technology Development Agency (NITDA), lacks the technical competence and digital forensics to properly address and probe cyberbullying complaints.⁵⁴

8. Gaps and Challenges in the Existing Legal Framework

The gaps in Nigeria's legal framework can be numerous. First, Nigeria lacks comprehensive digital rights legislation that explicitly recognises online abuse as a human rights issue.⁵⁵ Secondly, vague and broad provisions in existing legislation provide an opportunity for abuse of prosecutorial discretion, leading to the suppression of legitimate dissent under the cover of cybercrime enforcement.⁵⁶ Thirdly, judicial understanding of digital abuse is underdeveloped, resulting in inconsistent adjudication and minimal protection of the victims.⁵⁷ Lastly, the adverse sociocultural environment marked by stigma, fear of reprisal, and normalisation of online hate among other factors deters victims from seeking redress.⁵⁸ These deficiencies collectively hamper Nigeria's responsibility to protect human rights in cyberspace.

9. Digital Rights and the Nigerian Situation

⁵⁰ C Osagu 'International Data Protection Laws and the Nigerian State' <5399136.pdf> accessed 10 November 2025.

⁵¹ 'Any person who knowingly or intentionally sends a message or other matter by means of computer systems or network that - (a) is grossly offensive, pornographic or of an indecent, obscene or menacing character or causes any such message or matter to be so sent; or (b) he knows to be false, for the purpose of causing annoyance, inconvenience danger, obstruction, insult, injury, criminal intimidation, enmity, hatred, ill will or needless anxiety to another or causes such a message to be sent: commits an offence under this Act and shall be liable on conviction to a fine of not more than N7,000,000.00 or imprisonment for a term of not more than 3 years or to both such fine and imprisonment.'

⁵² (2019) LPELR-47298 (CA)

⁵³ <Violence-Against-Persons-Prohibition-Act-2015-1.pdf> accessed 11 November 2025.

⁵⁴ 'White Paper on the Framework for an Online Harms Protection Bill in Nigeria' <Updated-OHP-WHITE-PAPER-copy-compressed.pdf> accessed 12 November 2025.

⁵⁵ 'Discussion paper: Freedom of expression within the context of action on cybercrime – Practical considerations' <1680adcb0a> accessed 13 November 2025.

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

⁵⁸ 'Digital degradation: Stigma management in the internet age' <(PDF) Digital degradation: Stigma management in the internet age>

Digital rights, being a continuation of the basic human rights in the modern digital environment, ensure that people can access, express and engage in the online spaces safely and without discrimination. In Nigeria, the e-rights spectrum covers the freedom of online expression, privacy, universal internet access and internet protection as against cyber abuse. Even though the Constitution of the Federal Republic of Nigeria (1999) does not state the specific digital rights in its document, the provisions of section 39 regarding freedom of expression, section 37 regarding privacy, and section 34 regarding protection of the dignity of the human person, address the issue at hand. It will be safe to add the digital dimension to the reading of section 34 of the Constitution. However, the law courts have fallen behind in applying constitutional protection to the cyberspace realities.⁵⁹ The influence of civil society advocacy is still not felt in filling this legislative gap.⁶⁰ Digital Rights and Freedom Bill (DRFB), which was first introduced in 2016, was aimed at internalising international human-rights principles and protecting online freedoms.⁶¹ The bill was enacted in 2018 by the National Assembly, but the executive denied its assent on the grounds that, it duplicates existing laws, contains a lot of technical subjects and “fails to address any of them extensively”.⁶² This lost chance points towards the enduring lack of alignment between legislative aspirations in Nigeria and executive intentions towards digital protection of human rights.

10. Internet Freedom, Privacy, and Freedom of Expression.

The importance of freedom of expression in democratic participation is beyond question, but it has to be reconciled with security against danger. In Nigeria, there is no clear-cut choice between regulating online speech and ensuring free expression, and state interference has often bent towards censoring, as opposed to protecting. The 2021 twitter ban, which was imposed after the social media site deleted a tweet by the president, citing abusive behaviour that incites, was another instance of state excess and disrespect toward the digital rights of its citizens.⁶³ The over-seven-month suspension was against the right to information of the Nigerians, had affected the digital economy, and suppressed the voice of the civilians.⁶⁴ Equally, the lack of data privacy protection subjects the Nigerians to surveillance and manipulation.⁶⁵ Nigerian Data Protection Regulation (NDPR) published by NITDA in 2019 provides the framework of data protection, but since it is not supported by a specific enabling Act, its legal potential is relatively weak.⁶⁶

11. The Social Media Companies and State Regulation

The social media companies are not neutral players in the digital ecosystem as their algorithms, moderation policy, and the practices of their data handling affect the visibility and spread of the

⁵⁹ T Lawal, K Ola and H Chuma-Okoro ‘Towards the recognition of internet access as a human right in Nigeria: a theoretical and legal perspective’ <Full article: Towards the recognition of internet access as a human right in Nigeria: a theoretical and legal perspective> accessed 14 November 2025.

⁶⁰ ‘Digital rights and freedom of expression’ <Digital Rights And Freedom Of Expression> accessed 14 November 2025.

⁶¹ W Ishaku ‘A Time To Look At Digital Rights And Freedom Bill Again’ <A Time To Look At Digital Rights And Freedom Bill Again - HumAngle> accessed 14 November 2025.

⁶² *Ibid.*

⁶³ K Grzadkowska ‘Nigeria’s Twitter ban and its Human Rights implications’ <Nigeria’s Twitter Ban and its Human Rights Implications — Public International Law & Policy Group> accessed 14 November 2025.

⁶⁴ *Ibid.*

⁶⁵ DM Chika and ES Tochukwu ‘An analysis of Data protection and compliance in Nigeria’ <(PDF) An Analysis of Data Protection and Compliance in Nigeria> accessed 15 November 2025.

⁶⁶ *Ibid.*

content.⁶⁷ Weak regulatory oversight in Nigeria has enabled these platforms to be used as channels of hate speech and fake news. Although Section 45 of the 1999 Constitution of the Federal Republic of Nigeria, allows reasonable limitation of fundamental rights in the interest of order or morality in the society, the limitations should be legal, justified, and within measure.⁶⁸ Censorship using a blanket or random suspension of an account is not constitutional. There is therefore a need to have a rights-based approach to regulation of content, i.e. the balance between freedom of expression and harm of online users. A system of transparent, accountable moderation, which is also consistent with human-rights principles, can be created as a result of collaboration between the Nigerian government and technology companies and civil society. Digital transformation is also in the strategy of the African Union, which has implications on human rights.⁶⁹ The Digital Transformation Strategy of Africa (2020-2030) by the African Union is an inclusive digital governance road map that demands secure digital identities, cross-border data protection and human-centred policies.⁷⁰ In the case of Nigeria, it is of paramount importance that the country is at par with this strategy to align the national and regional cyber-governance. The focus of the strategy on the rights-based digital transformation highlights the fact that development and human rights are not antithetical. People-centred digital policy will make certain that the technological progress will not support structural inequities by making it more equal, inclusive, and just.

12. Consequences of Weak Human Rights Protection for Digital Rights

The right to dignity of the human person, as is contained in Section 34(1) of the Nigerian constitution and Article 5 of the African charter on Human and Peoples' Rights, is directly challenged by cyberbullying and hate crimes on the internet. Victims of online humiliation or identity-based attacks suffer psychological degradation that is not in line with human dignity. The right to equality is also compromised by uncontrolled abuse on the internet. Digital inequality is systematised by discriminatory speech, which targets ethnic minorities or diverse ethnicities, women, and non-dominant groups, derogating the protections against discrimination, enshrined in Section 42(1) of the 1999 Constitution of the Federal Republic of Nigeria. Cyberbullying and bigotry stand as adversaries to the Freedom of expression and participation. Consequently, unregulated internet aggression kills freedom of expression. Many Nigerians, mostly women and minority voices, develop apathy to digital participation in a bid to escape harassment. Therefore, even though freedom of expression is constitutionally guaranteed, it becomes an illusion when it is exercised in a hostile digital environment. This hostile digital environment ultimately weakens the democratic processes in Nigeria, since the internet has become a necessity in political debate, advocacy, and civic participation. Online bigotry is a continuation of online and offline discrimination. Ethnic and religious minorities have been the victims of hate speech that has led to violence and fueled partisan politics.⁷¹ The fact that Nigeria consistently fails to prosecute the culprits involved in the digital hate

⁶⁷ A Serttas, H Gurkan and G Dere 'Synthetic social alienation: The Role of Algorithm-driven content in shaping digital discourse and user perspectives' <Synthetic Social Alienation: The Role of Algorithm-Driven Content in Shaping Digital Discourse and User Perspectives> accessed 15 November 2025.

⁶⁸ Section 45 of the 1999 Constitution of the Federal Republic of Nigeria, provides 'Nothing in sections 37, 38, 39, 40 and 41 of this Constitution shall invalidate any law that is reasonably justifiable in a democratic society (a) in the interest of defence, public safety, public order, public morality or public health; or (b) for the purpose of protecting the rights and freedom of other persons.'

⁶⁹ 'The digital transformation strategy for Africa (2020-2030)' <38507-doc-dts-english.pdf> accessed 15 November 2025.

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⁷¹ C Ezeibe 'Hate Speech and Election Violence in Nigeria' *Journal of Asian and African Studies* Vol. 56 (4), 2020, 919-935.

is indicative of a culture of impunity that is not in line with the human-rights obligations of the State as stipulated in Article 2 of the African Charter and Article 26 of the ICCPR.⁷²

13. Towards Greater Digital Rights in Africa

It is submitted that Nigeria and other African countries need to ratify and domesticate the Malabo Convention to have a harmonised legislative regime protecting human rights within cyberspace in the region.⁷³ The ubiquitous nature of the internet makes it imperative that regional bodies like the African Commission on Human and Peoples Rights and the ECOWAS court of justice need to include an expansion of the digital rights within their jurisprudence, so that both the state and the non-state actors are accountable in cases of violation of human rights online. The social recalibration of society geared towards significant reorientation to accommodate diversities is required in the mitigation of cyberbullying and bigotry. Digital literacy must be driven with emphasis and focus on empathy, respect and accountability in the virtual world. Consequently, school curriculum and professional associations should teach cyber-ethics to produce responsible digital citizens. Social media enterprises have a moral responsibility to eliminate the cause of online harm. Nigeria should implement the model of co-regulation where the platforms are compelled to create transparent complaint systems, release regular transparency documents, and work with human-rights organisations. These measures should not be too restrictive or too lenient towards establishing corporate stewardship.

14. Conclusion and Recommendations

The computer age has provided a new understanding of human rights and the concept of harm. Cyberbullying and bigotry are not only products of technology but modern-day human-rights issues, which require immediate, lawful, institutional, and social reactions. The largest digital economy in Africa, Nigeria, has a special obligation to be a role model in spearheading the rights-based system of digital governance. Nigerian Constitution, the African Charter, and international human-rights instruments all assume a responsibility of the state to protect the citizens against the violation of their rights offline and online. Any failure to perform this obligation does not just weaken human dignity and equality but also the democratic process and social cohesiveness. The way forward involves the introduction of a strong digital-rights legislation, creation of institutional capacity, multi-stakeholder cooperation and strengthening of continental integration. Laws must evolve to address online harassment and hate without silencing legitimate expression. Technology companies must accept responsibility for the digital environments they create and profit from. Education systems must equip citizens with empathy, media literacy and ethical responsibility. Cyberbullying and bigotry are not side effects of modern life. They are preventable social threats. If left unchecked, they corrode the foundations of coexistence. The cost of ignoring them is measured not only in broken communities, but in lost lives. It is only through such steps that Africa, and Nigeria especially, can turn the internet from an instrument of the oppressed into a place that symbolises freedom, dignity and equality among people.

Addressing cyberbullying and bigotry from the Human Rights standpoint requires a multifaceted approach.

⁷² <Human rights in Africa Regional Overview Amnesty International> accessed 15 November 2025.

⁷³ 'African Union Convention on Cyber Security and Personal Data Protection' <African Union Convention on Cyber Security and Personal Data Protection | African Union> accessed 15 November 2025.

Legislative Reform: It is recommended that a legislative reform that modifies extant laws be made to protect digital rights and online safety acts, criminalising cyberbullying, safeguarding citizens against online hate, and protecting free speech.

Judicial Capacity Building: It is also recommended that Judges, Prosecutors and Investigators be trained on digital forensics and adjudication of cyber-rights.

Civil Society Participation: It is further recommended that advocacy and victim-support groups that will monitor and report any abuses on the internet be intensified.

Regional Integration: It is again recommended that African states strengthen their cooperation in order to engender a joint system of dealing with cyber harassment across borders.