

Fake news, hate speech and the implications of government responses in Nigeria, 2015-2019

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Abstract

New threats of fake news and hate speeches are emerging as global threats to democracies across the globe. They have further become very effective due to widespread availability and adoption of information and communication technology tools, especially the social media. However, governments either at the state or Federal levels, have provided several options to tackle the menace. Against this backdrop, this paper examined the response of the Nigeria government and State agencies to these threats. Critical analysis of literature, media reports, social media posts and purposive interviews were conducted to understand public reaction to government's responses to these threats. The paper revealed among other things that government's response to fake news and hate speech is noble. However, the approach has led to series of abuse of fundamental human rights of the citizenry, especially freedom of speech and privacy. It further revealed that majority of the people viewed such responses as undemocratic and fascist. The paper, among other things recommended inclusive policies, mass education and good governance.

Key Words: Hate Speech; Fake News; Elections; Freedom of Information Act; Human Rights

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Introduction

Mobilising and manipulating information to achieve different purposes is a long practice (Ireton & Posetti 2018:15). To achieve these purposes, the speech and fake news are the most prevalent. However, there is a sharp rise in the use of fake news and hate speeches across the globe. This has further become effective due to the advent of the internet and advancement in information and communication technology, which are usually deployed by governments as well as its people to achieve their purposes. This is done mostly to create tensions, discredit an entity and swerve popular opinions, even across States. Such was the case of the misinformation spread by Russia, as did some non-state actors during the United States general elections in 2016 (Lazer, Baum, Grinberg, Friedland, Joseph, Hobbs & Mattssons, 2017; Guess, Nyhan & Reiler, 2018; *Human Rights First*, 2018).

However, hate speeches and fake news are both complex terms which have continued to be given different colouration by pundits, critics and governments. While some have achieved their aims with either fake news or hate speech, it has backfired in other instances leading to violence, displacement, hunger, pestilence, loss of lives and property (*US Holocaust Memorial Museum*, nd; Murunga, 2011; Barkan 2013; *Human Rights Watch*, 2011).ⁱ This has further manifested in pluralistic societies and fragile democracies, including Nigeria.

Nigeria is a multi-ethnic society with over 394 languages, 374 separate identified ethnic groups (Otite 1990:175) and 776 local governments. With such diversity, each ethnic group has been skeptical of one another. Presently, the population of the country hovers around 190 million. More so, the country's internet usage continues to increase on daily basis (*ETimes* 2018). Lately, with the popularity of the new media and its ubiquitous nature, fake news are gaining widespread attention.

In order to address these challenges, governments across the world, including multiethnic societies such as South Africa and Kenya, which are also divided along ethnic and sexual orientation lines (*Government Gazette Kenya*, 2016; (Nyathi & Rajuili 2017),ⁱⁱ have intervened in so many ways to regulate what is being spoken or published either in the traditional or new media. Such responses are generally brandished as witch-hunting, anti-democratic and a sign of fascism (Payne

1996).ⁱⁱⁱ This has also generated lots of reactions from the populace.

To be specific on Nigeria, this paper examines the following questions: What are fake news and hate speeches? How have fake news and hate speeches manifested in Nigeria's fragile democracy, especially since the commencement of the Fourth Republic? What have been the responses of the government to these threats, and how has the citizenry reacted? The answers to the questions will help navigate the issue of human rights and utilisation of the public media space in a democratic milieu and a multi-ethnic entity such as Nigeria.

Conceptualisations of Fake News and Hate Speech

Fake news is fast becoming one of the greatest strategies of swaying the public on fundamental political, social or economic issues. Allcott and Gentzkow defines it as news articles that are intentionally and verifiably false, to mislead readers. It also includes fabricated news articles (Allcott & Gentzkow 2017). The *Portland* (2017) sees it as false information presented through the media as what is true - what we see and encounter about politics in our daily lives. This definition may be inadequate because it focuses on politics. It however explains the phenomenon, as a lie can travel half way around the world while the truth is putting on its shoes; and never has this been more possible than now with the aid of the social media, which aid fake story in traveling round the world in seconds.

On the other hand, hate speech is gaining global attention in the country despite its negative consequences. Hate speech is defined by some scholars as:

Expressions that advocate incitement to harm (particularly, discrimination, hostility or violence) based upon the target's being identified with a certain social or demographic group. It may include, but is not limited to, speech that advocates, threatens, or encourages violent acts. For some, however, the concept extends also to expressions that foster a climate of prejudice and intolerance on the assumption that this may fuel targeted discrimination, hostility and violent attacks (Gagliardone, Gal, Alves & Martinez, 2015).

According to the United Nations Committee on the Elimination of Racial Discrimination, hate speech includes:

- (a) all dissemination of ideas based on racial or ethnic superiority or hatred, by whatever means;
- (b) incitement to hatred, contempt or discrimination against members of a group on grounds of their race, colour, descent, or national or ethnic origin;
- (c) threats or incitement to violence against persons or groups on the grounds in (b) above;
- (d) expression of insults, ridicule or slander of persons or groups or justification of hatred, contempt or discrimination on the grounds in (b) above, when it clearly amounts to incitement to hatred or discrimination;
- (e) participation in organizations and activities which promote and incite racial discrimination (Cited from Ezeibe 2014:4).

Howbeit, it is a complex and complicated concept with a wide spectrum of meanings. It is akin to a group of blind men attributing the characteristics of an elephant with each identifying the elephant from where each man has touched. Consequently, Susan Benesh proposed five frameworks in which dangerous speeches are identified. (Benesh 2011; Benesh 2012; Gagliardone, Patel & Pohjonen 2014).

Despite these few definitions of hate speech, its meaning remains inexhaustible. In other words, it means many things to many people and inevitably these meanings are both contested and contestable (McGonagle 2012).

However, in this paper, we define fake news as false information conveyed intentionally or unintentionally by a person or group of persons through any media, be it traditional or conventional, to members of the public, and which is liable to mislead the consumers. The reason for the 'unintentional' aspect is derived from excited individuals who just wants to share a piece of information believed by him/her to be true, but which is not.

Background to Hate Speech and Fake News up to 2015

Historically, hate speech and fake news have become means to an end in Nigeria even before Independence. Since the First Republic, there has been sporadic use of fake news and hate speeches, especially by the regional leaders and their followers (Seng & Hunt 1986; Ezeibe 2014). Most of these inflammatory speeches have led to some of the violence that ran through the First Republic (Kirk-Green, 1971:126; Ejiogu 2004), prominent among which was the (operation *wetie*) in the Western Region in 1964/65 (Ige, 1994) and subsequently, the Nigeria Civil War of 1967 - 1970 (Thompson, Ojukwu & Nwaorgu, 2016).

Even during the Second Republic, there were clashes between Chief Akin Omoboriowo of the National Party of Nigeria (NPN) and Mr Adekunle Ajasin of the Unity Party of Nigeria (UPN) in the old Western Region as a result of the declaration of results, which were believed to be fake (Sokoto 2015:42; Yoroms, 2015). Hate speeches and fake news have been unabatedly deployed in Nigeria since then by the political *elite* to actualise and consolidate political power. As it were, it continued unabated even until the 2015 general elections. In the 2015 elections, the major political parties, PDP and APC focused their campaigns strategies more on hate speech than on issues (ACSPN, NDSU, ORBICOM/UNESCO et al, 2018).

Manifestations of Hate Speech and Fake News, 2015-2019

As preparations for the 2015 general elections were on, fake news and hate speech, became the currency of political exchange. Buhari, who was a candidate then, threatened that if what happened in 2011 (alleging that the elections were rigged) repeated itself, both the dogs and baboons would be soaked in blood. On the other hand, the wife of the ousted president, Patience Jonathan, in the heat of the campaigns, also made a hate speech, asking Nigerians to stone anyone who mentioned the word, "*change*", to them. Quite aside, since the inauguration of Muhammadu Buhari in May 2015, some people have peddled fake news and hate speeches in order to discredit or support the administration. While some aver that the previous administration of President Jonathan promoted the Boko Haram sect and the Fulani Militia Herdsmen, labeled as the fourth deadliest terror

group in 2015 (GTI 2015), others believed that violence under the groups have been accelerated by the emergence of president Buhari and his security architecture.^{iv}Buhari's inaction has further fueled the Islamization agenda (Asemota 2017).Any wonder some eminent Nigerians have called on the populace to defend themselves against the killer Herdsmen.^v Although the government and its agencies condemned such call and termed it as hate speech, many people supported such call.

Prior to the general elections of 2019, fake news and hate speeches were spread by the major political parties and even government agencies. While government and its agencies or supporters deployed fake news against critics and the major opposition candidate of the People's Democratic Party (PDP), Alhaji Atiku Abubakar, the opposition and most members of the general public in the south, especially after the spate of killings in the middle belt prior to the elections, incessant government's disobedience of court orders (NDI/IRI, 2019; Thompson, 2019), among others, also used both traditional and new media against Buhari's administration.

As the general elections approached in 2019, fake news and hate speeches gained momentum and took a new turn as religious leaders of both Christianity and Islam again, took the campaign to the their various congregations. But how has the government responded to these menace of hate speeches and fake news?

Government's Response to Hate Speeches and Fake News

Hate speech and propaganda occur in all society in radically varying degrees (*US Holocaust Memorial Museum*, nd). As part of the political culture in Africa, the menace of fake news and hate speech have been lip-serviced before now. Anytime the government attempted to tackle the menace, it was either seen as being anti-opposition, or aiming to silence critics.

However, Hate speech legislation is generally seen as an efficient way of curbing the menace that could emanate from the threat (Scheffler [Pelley ed.]2015). The first attempt to respond to hate speech in the country since the fourth republic was in 2011 through the Terrorism Prevention Act. But this was not clearly defined until twilight of President Jonathan's tenure, when the Cyber Crimes (Prohibition, Prevention, etc.) Act was passed

into law in May 2015. It, among other things, aimed to curb the spread of fake news and hate speech on the internet, deal with the distribution of racist and xenophobic materials to the public through a computer system or network (e.g., Facebook and Twitter); allow for the interception of electronic communication by way of court order by a judge, give the president the power to designate certain computers as national security threat etc (Cyber Crime Prohibition Act 2015).

With the emergence of the administration of President Muhammadu Buhari, the responses to these threats have been by unconventional and conventional means. The unconventional means are through the limitation of access to the social media, arrests and detentions, while the conventional means have been through the sponsor of legislations.

However, the first attempt to tackle hate speech and fake news by the Buhari administration was when the then acting President, Professor Yemi Osinbajo, at a security summit organized by the National Economic Council in Abuja, said the federal government would no longer tolerate inflammatory statements such as hate speech, which he termed as a species of terrorism (Adetayo 2017).The reason for this response from the acting president may not have been unconnected to the series of statements on the ailing president, Muhammadu Buhari, the herdsmen attack across the country, as well as the silence of the northern leaders over the ultimatum threat from some northern youths that Igbos should vacate the north.

In May 2016, the Senate was forced to rescind the Anti-Social Media Bill after public outcry that Government sought to criminalise the use of social media and muzzle critical voices (Ibekwe 2017). Subsequently, the government warned that certain speeches of the citizenry had crossed the red line. President Buhari noted in August 2017, that he was distressed to notice that some comments, especially in the social media had crossed national red lines by daring to question the State's existence as a nation (Buhari 2017).

Consequently, the military quickly began to monitor Nigerians on the social media. Confirming this, the Director of Defense Information, Major General John Enenche, told a television media house that the activities of Nigerians on the social media were being monitored by the military for hate speech, anti-

government and anti-security information (*Channels TV*, 2017).

Corroboratively, the country’s highest Islamic leader, the Sultan of Sokoto, Alhaji Sa’ad Abubakar, endorsed the plan to criminalise hate speech and fake news. Although he generalized that the traditional institution was in support of the declaration earlier made by the vice president, Yemi Osinbajo, that nobody would get away with statements and speeches that could cause sedition or violence (Oguntola 2017), there was no evidence that traditional rulers in the South-East, South- West, North Central, or South-south supported such actions.^{vi} This is because of the ethnic structure of the country where a particular ethnic group do not support any action by another, especially when it is perceived as targeting their group.

The response took an international dimension when the Federal Government called on the United Nations Educational, Scientific and Cultural Organisation (UNESCO) for assistance in the fight against the scourge of fake news, disinformation and hate speeches. The Minister of Information and Culture, Alhaji Lai Mohammed, made the appeal on Thursday, 9 November, 2017 in Paris at the 39 Session of the General Conference of UNESCO, stating that Nigeria did not plan to engage in impunities against journalists, and that the global organisation must look into the negative trend of the menace (*PM News*, 2017).

To further corroborate the claims that the idea of monitoring social media posts had not been jettisoned, the former Minister of Defense, Mansur Dan-Ali, at a meeting of the National Security Council presided over by President Buhari at the Presidential Villa, Abuja, on 25 January 2018, informed that he had directed the nation’s security agencies to tackle those propagating hate speeches, especially through the social media. He also stated that special attention should be given to

notable Nigerians in tackling the menace. He assured the President that the military was synergizing with other security agencies through intelligence sharing and joint operations to address the various security challenges facing the country (Adetayo 2018). It should be noted that these were just policy statements not backed by any legislations.

However, this rhetoric was put to test when a member of the ruling party, the APC representing in Niger State, Senator Aliyu Sabi Abdullahi, sponsored a bill seeking the establishment of an Independent National Commission for Hate Speeches. It was proposed that the Commission would enforce, prosecute and ensure the elimination of hate speech across the country. It also prescribed a death-by-hanging sentence for whoever was guilty of hate speech that results in the death of another person. It further prescribed not less than ten million naira fine or/and five year jail term for harassment on the grounds of ethnicity or racial contempt (Ameh 2018a). While the bill was applauded by a few, it was generally criticized not only by the opposition but also the CSO and some members of the ruling party in the Eight Assembly, who were critics of the executive (Ojibara, 2017).

On fake news, unlawful arrests and detention have been used to intimidate and jail persons found wanting. This has mostly been spearheaded by state security agencies, especially the State Security Services (SSS) and Department of State Security (DSS). Although this has hardly been used against public figures who enjoys immunity, many critics of the government have been arrested and detained. And in cases where the Courts have discharged and acquitted or granted bail to the accused, government have continued to disobey such Court order (Freedom House, 2017; Thompson, 2019).

Table 1: Selected Citizens Harassed on Allegations of Peddling Fake news or/and Hate Speeches since the Cyber Crimes (Prohibition, Preventive, etc.) Act, 2015

Names of Victims (Outfit)	Allegations	Accusing Agency (State/Federal Governments)	Source
Emmanuel Ojo Blogger	Ojo was arrested for an alleged post on the wife of the former Governor of Ogun State, Mrs. Olufunso Amosun, over money laundering allegations	State	Oyewo, Dayo (2015) “Ogun blogger, Emmanuel Ojo rearrested” <i>Nigeria</i>

			<i>politics online</i> , 2 November.
Seun Oloketuyi Blogger	Arrested for publishing false news about some Nigerian Bank Managing Directors	Federal	J.K Nwobodo, J.K. (2015) "Blogger Seun Oloketuyi arrested by DSS for false publications about bank MD's" <i>Talk Parlour</i> , 9 July.
Ahmed Salkida,	Declared wanted and Arrested over links with a Boko Haram Video showing some of the abducted Chibok School Girls	Nigerian Army	Adebayo, Moshood (2016) "Boko Haram: Wanted journalist arrested in Abuja" <i>Sun news</i> , 6 September.
Emenike Iroegbu Abia Facts News Paper	Arrested in front of his family by men of the SSS field in Uyo, the Akwa Ibom State capital for Contents published on his website	State Security Service (Federal)	Ogundipe, Samuel (2016) "Another Nigerian blogger arrested by 'state agents' <i>Premium Times</i> , 7 September.
Emeh James Anyalekwa Editor in Chief of Igbere TV	He was arrested at his residence in front of his wife and little daughter in Uyo, without disclosing the reason for his arrest and their destination. However, it was speculated that it may not be unconnected to his post on the pro-Biafra publications	Federal	<i>The Summary</i> , (2016). "Clampdown on Media Houses Continuous: DSS Arrests Igbere TV Blogger, Site Shutdown," 15 October.
Daniel Elobah blogger	Arrested and detained over an article that was deemed critical of a Police Boss	Police Special SARS Federal Government	Kumolu, Charles (2018). "Journalist arrested over publication" <i>Vanguard</i> , 2 January 2018
Nsibiet John Ink News Paper	Arrested and detained for reporting that the state deputy governor pockets N250 million monthly as security vote. He was later released on bail by a magistrate court.	State	Ukpong, Cletus (2017) "Another journalist arrested, flown to Abuja" <i>Premium Times</i> , 6 January.
Dr John Danfulani Lecturer and Activist	Arrested and charged under section 417 and 418 of the Penal code for a Facebook post deemed as inciting by the Kaduna State government	State	Ibekwe, Nicholas (2017). "ANALYSIS: The Controversial Nigerian Laws Public Officials use to go after Social Media Users, critics" <i>Premium Times</i> , 26 September.
Gloria Ballason Lawyer	She was threatened to be arrested and prosecuted by the Kaduna State governor for an article 'Kaduna: When Government Kills' published in the Blueprint Newspaper of 28 November 2016. She sued the government and damages were awarded her to the tune of N50, 000 (\$139) against the governor for breached of her Fundamental Human Rights.	State	Oche Nicholas C. (2017). "Governor El-Rufai to pay N50,000 damages for Breach of Lawyer's Right," <i>The Nigerian Lawyer</i> , 15 May.
Biodun Baba Primary School Teacher and Internet User	He was arraigned before a Magistrate Court in Ilorin, Kwara State for allegedly making uncomplimentary and inciting post on Facebook against the former Senate President, Bukola Saraki. Senator Saraki	State/ Former Senate Leader	Nwogu, Success (2017). "Saraki's Facebook critic, Baba: I would have been jailed if not for 30 lawyers

	withdrew the charges after interventions from the general public.		who fought my case for free” <i>The Punch</i> , 6 August.
Jerry Edoho Ibom Nation newspaper	Picked up in Uyo by Police personnel from the Force headquarters in Abuja on 6 January 2017	NPF, Federal	Awodeji, Taiwo (2017). “Two journalists killed, 12 assaulted in 2017” <i>Daily Trust</i> , 2 November 2017
Premium Times Newspaper	Premise was invaded by armed police officers on 19 January 2017	Federal	Awodeji (2017)
Dapo Olorunyomi (publisher) and Evelyn Okakwu (judiciary correspondent)	Arrested by armed police officers on 19 January 2017	Federal	Awodeji (2017)
Joseph Binniyat	Accused of falsely claiming that five students of the state College of Education were killed by herdsman and invited for questioning by the SSS (Kaduna Command on Monday 6 January 2017	Federal and State	Akinwale, Yekeen (2018). “Be careful what you post- 10 Nigerians arrested in 2017 for their social media activity” <i>International Centre For Investigative Reporting</i> , 16 February.
Aku Obidinma Coordinator of Imo Bille initiative	Arrested 21 November 2016 by men of the DSS on the allegation of attending a radio programme in <i>Owerri</i> , the state capital over a Facebook post criticizing the state government. Released 17 January 2017	State	Akinwale (2018)
Gambo Saeed Internet User	He was sentenced to nine months imprisonment by a Chief Magistrate Court for name calling and defaming the former governor of Katsina state, Aminu Masari, on social media in March 2017. The complaint was made by the Senior Special Assistant to the Governor on Radio Monitoring, Mansur Mashi.	State	Akinwale (2018)
Musa Abdullahi-Kirishi (Daily Trust)	Arrested on 12 March 2018 from the National Assembly complex over alleged defamatory report against the former Jigawa State governor, Badaru Abubakar.	State	Online Team, (2018). “Fears as abducted Daily Trust journalist is ‘ferried to Jigawa” <i>Daily Trust</i> , 13 March.
Dr Bukola Saraki (former Senate President) after decamping from the APC to PDP	Alleged to have sponsored the Offa Bank robbery by a senior member of the ruling party.	Modibbo Kawu (Former Director General of National Broadcasting Commission (NBC)/Federal	Odunsi, Wale. (2018) ‘NBC boss in ‘hate speech’ scandal, says Saraki a ‘Kleptocratic hegemony, he’s not from Kwara [leaked chat]’ <i>Daily Post</i> , 5 August.
Samuel Ogundipe (Reporter, Premium Times)	Arrested and detained for two days over alleged publication of misleading and prejudicial information liable to cause a breach of national security and break down of law and order.	The Nigeria Police Force/Federal	Godwin Ameh. (2018), “Police Vs Premium Times: I was accused of stealing secret documents”—Samuel Ogundipe speaks on arrest,” <i>Daily Post</i> , 16 August.

Compiled by the authors.

It is limpid from the above table that the Federal or State Governments are not the only institutions culpable in the infringement on human rights, the political *elite* group too are.

Public Reaction to Government Responses

Hate speech has been used by one group to outplay another to achieve their aims in the pluralistic country, especially when it comes to burning national issues in the political sphere. An analyst noted that it has become a threat to the country's existence and unity (Bukarti, 2017). While the purported plan to tackle hate speech and fake news has been applauded by most supporters of the ruling party, the APC, it has not gone down well with the public, especially the opposition.

Our findings were based on Media reports and purposively conducted interviews. For instance, a Hausa-Fulani man who was interviewed on government's intervention opined that he supported such moves because the *Igbos* and the *Yorubas* were taking Buhari for granted. He succinctly put it thus:

When Jonathan was there, they did not abuse him like Buhari. And they are doing this because Buhari is a Fulani man and a kind man. In fact when he was ill and travelled abroad for treatment, most southerners were happy and saying he should not return alive. Is this not hate speech? (Interview, Garba, suya seller, c43 years, 21 March 2018)

The above shows that there are more affinities based on ethnicity to government's response to the threat than honest solutions. Another man, who is a member of the ruling party, supported the government's position on the hate speech bill as well as monitoring of individuals' social media posts. A woman leader of the APC, but uneducated, gave her nod by saying that people are taking Buhari for granted because he is now a civilian president. Her position was: "Can they try these nonsense and rumors they peddle up and down against Buhari when he was a military ruler? (Interview Iya Baraka, Provision seller, Osiele, Abeokuta. 11-3-2018)

Meanwhile pundits and critics of the hate speech bills and the online monitoring of information by the citizenry have criticized these moves. In fact, most of the interviews held

randomly shows that most people do not support the responses of the government. In fact, when the issue was explained to some non-literates, they kicked against it. An elderly woman had this to say in her local language:

Iyen ko da. Nigba to je wipe Olorun fun wan i enu lati so oro. Bo ti le je wipe ko da ki a bu olori wa, sugbon gbogbo awon olorelu ni won ma n bur a won. Asa yi ti di baraku mo gbogbo won lara. Ki lo wa de ti eyan kan ma wa so wipe a ko gbodo soro mo? (Interview, Busola Ajenise, c93 years. Ikenne 12-3-2019)

Translation: This is not good; after all, God gave us mouth to speak. Although fake news and hate speech or abusing the president is not good, they are all guilty and the politicians use it for their goals. Why should someone come and ask us not to speak again?

The above shows that some elderly people understand the dynamics and politics of fake news or hate speech as well as government's responses in the country. Thus, Ezeibe & Ikeanyibe (2017) observed that hate speech is used by the political class to continuously seek and consolidate power by manipulating ethnicity.

Furthermore, some members of the ruling party, also condemned the hate speech bill. A former member of the ruling party, representing Kaduna Central, Senator Shehu Sani, not only condemned hate speeches, but also noted that if the bill was passed, prisons across the country would be filled with bloggers and critics of the government, and this may make the state tyrannical and oppressive.^{vii} A blogger resident in Lagos said that such moves were not possible because Nigerians, home and abroad, the international community, especially the United States, which is a partner and promoter of democracy and liberalism will all reject it (Personal discussion, Abaypmi, Abule-Egba, Lagos, 9-3-2018). An Igbo trader succinctly put it thus:

Who are Buhari and his people fooling? Are they not the ones who started hate speech when he said

the dogs and baboons will be soaked in blood and immediately he made the statement after losing the election of 2011, a youth corps member died while serving his country? Just recently, a woman was lynched in Abuja by some Muslim youths on the supposed basis of preaching heresy and many more instances I can give to you. They are the ones who propagate hate speech and they only want to use the laws and policies to silence the Igbos (Interview, Ejike, second-hand clothe dealer, Kontangora. 9-3-2018).

While some critics have decided to remain anonymous, members of the opposition who are known to be critics of the President and his APC government, described such responses as nepotistic, anti-democratic and anti-people.^{viii} A good number of them, including Femi Fani Kayode, Governor Ayodele Fayose, the pan-Yoruba social group known as *Afenifere*, the Igbo social-cultural group known as *Ohaneze Ndigbo*, the proscribed secessionist and so-called 'terrorists' group known as the Indigenous Peoples of Biafra (IPOB), among others, have also added their voices to the protest. Femi Fani Kayode posted on his twitter page that,

Now they want to pass a law that prescribes the death penalty for calling a demon. They call it 'hate it 'when we call a spade a spade, tell them what they are and expose their barbarity. Buhari wants Nigeria to be like N. Korea. He hates free speech!^{ix}

Apart from these popular critics of the government, a human rights group called the Human Rights Writers Association of Nigeria (HURIWA), also accused the National Assembly of working hand in gloves with enemies of constitutional democracy that are bent on destroying civil rule and establishing a one-party dictatorship. Furthermore, the Nigerian Union of Journalists (NUJ), also cautioned the Senate against the bill. This appeal was made by the NUJ National Secretary, Shuabibu Leman, who posits that the

hate speech bill could be used indiscriminately by unscrupulous members of the political *elite* against perceived political opponents (Jannah 2018).

In support of their NUJ colleagues, the International Press Centre (IPC) through its chairman in Lagos, Lanre Arogundade, warned that if such bill was passed, it would crush the right of Nigerians to freedom of expression as guaranteed by the constitution of the country. He averred that:

A draconian law that hallmarks dictatorship cannot be the solution to hate speech in a democratic society. What the country needs today is engagement by multiple stakeholders to determine what actually constitutes hate speech and agree on effective measures for dealing with such (Ameh, 2018b).

Beside these individuals, some prominent Nigerians and the Civil Society Organisations, including the Nigerian Bar Association (NBA), among other stakeholders, also condemned government's response, especially the death sentence for hate speech. Nevertheless, the perceived beliefs that government could politicize such hate speech bills or fake news bill has caused some of its criticisms by the populace. In fact, the former Nigerian Human Rights Commission (NHRC) Boss, Mr Tony Ojukwu, in an interview acknowledged that hate speech was used in the 2011 and 2015 elections to fan the embers of discord, and in the past, such people were hardly made accountable.

The NHRC suggested to tackle the issues of fake news and hate speeches through public hearings before the general elections of 2019 (Enyiocha 2018), however, there are no evidences that it was acted upon. No doubt that the NHRC lack the political will to intervene, especially when such bodies are used by the political class and the government in power. Little wonder Amnesty International observed that laws and policies that are not clearly drafted can violate freedom of expression, and may also be counterproductive to efforts to eradicate racial discrimination (*Amnesty International*, 2012).

Most public perception is that their rights have been infringed on with the responses of the government so far. Little wonder, the Socio-

Economic Rights and Accountability Project (SERAP) dragged both the Federal and State Governments to the ECOWAS Court of Justice in Abuja over the frequent and repressive application of the Cybercrime Act to harass, intimidate arbitrarily arrest, detain and unfairly prosecute critics in March 2019 (*Vanguard Newspaper*, 2019).

Conclusion

The paper examined the meaning of fake news and hate speeches, government responses and public reactions in Nigeria. It revealed, among others, that fake news and hate speeches are threats to emerging and fragile democracies or ethnically pluralistic states. This is due to the tendency of these menace to cause violence, loss of lives and property, genocide and crimes against humanities, with Kenya, Rwanda and Nigeria as examples. These menace have further been made popular through the use of the social media.

Nevertheless, they are part of Africa's political culture now being rejected by the ruling class which had rode to power by deploying similar menace to its advantage. In responding to the menace, the Nigerian government has been grossly found wanting due to its infringement on human rights, especially privacy, freedom of expression, dignity of the human person and right to personal liberty, among others, through arrests and detention without prosecution.

These methods of intimidation have not only created trepidation in Internet users and the citizenry, they have also become a danger to sustainable democracy, described by some citizens as a way of fascismizing the state. The Buhari administration would have avoided undue confrontations, had necessary steps been taken to address many burning national issues (Nwoba & Nwoku 2018),^xas and when due.

Hence, scholars and advocates against hate speech and fake news have suggested some cogent international best practices as ways to curb the menace (Gagliardone et al: 34-59; Shao, Ciampaglia, Varol, Flammini & Menczer 2017; Roozenbeek & Linden, nd).^{xi}The Nigerian State and other emerging democracies must tap into these. Indeed in pluralistic societies and emerging societies, such responses are always too complex to initiate based on the peculiarities of such societies. How best, then, can this be tackled?

Significantly, it is important to understand the root causes of fake news and hate speeches, which are often not far from secrecy of public information, ignorance and illiteracy, politicization of national issues, ethnicity and religious affinity, bad governance, among others. Government must henceforth fight these menace by adopting the best international practices, such as involving stakeholders, including media houses, new media outlets, apps developers among others, through an inclusive policy formulation as well as embracing good governance, without which the rights of the citizenry would be infringed upon and democracy undermined.

Endnotes

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- i In Rwanda in the 1994 genocide; Kenya in the 2007 election, and in Nigeria in the 2011 elections.
 - ii For example Kenya called a major stakeholder meeting before its bill was passed.
 - iii Fascism is one of the most widely used political pejoratives, normally intended to connote violent, brutal, repressive or dictatorial tendencies. Hence it can only be surmised through its characteristics that a working definition, of which gagging of the media, arrests, vanishing, detention without trials are just a few.
 - iv Tukur Buratai, Chief of Army Staff (northerner); Idris K. Ibrahim, IGP of Police, (northerner); Lawal Mamman Daura, DSS (Northerner); Sadique Abubakar Chief of Air Staff,(northerner); Maj-Gen Babagana Monguno (rtd.), National Security Adviser, northerner; Rtd General AbdulRahman Dambazau Internal Affairs; Major General Mansur Dan-Ali, Minister of Defense (northerner); Arab Yadam, Acting Director of the Nigeria Intelligence Agency (NIA) (northerner); Ja'faru Ahmed, Controller-General of Nigerian Prisons Services (northern); Muhammed Babandede, Controller-general of Nigerian Immigrations Services; Abdullahi Muhammadu, Commandant general of

- Nigeria Security and Civil Defence Corps (NSCDC) (northerner); Col Hameed Ibrahim Ali (rtd).
- v This is available on You tube at, <https://www.youtube.com/watch?v=ZDZOKvFtIRk> [accessed 28-3- 2018]
 - vi Personal discussions with some *Bales* (King's representatives/community leaders) in Abeokuta, Ogun State and some chiefs in Imo State
 - vii This can be found on his Face book page at <https://www.facebook.com/shehu.sani>; and On twitters, <https://twitter.com/shehusani?lang=en>; [accessed 30-3- 2018]
 - viii Some of these people are Ayodele Fayose of Ekiti state, the Ohaneze Ndigbo, Afenifere and Femi Fani kayode, former Aviation Minister among others.
 - ix His twitter handle on; <https://mobile.twitter.com/realFFK/tweets> [accessed 18 March 2018]
 - x Reinstatement of alleged corrupt officials of the administration under President Buhari who were northerners but annihilation of the opposition, like the former spokesman of PDP, Olisah Metuh even when on wheel chairs or air-lifted to court. Ibrahim Maina who was recalled secretly; Professor Usman Yusuf of the National Health Insurance Scheme; Ahmed Rufai Abubakar who was not qualified to be the head of the NIA after failing a directorate examination; former Secretary to the Federation Government, Babachir David Lawal for grass cutting scandal where money meant for Internally Displaced Persons were diverted.
 - xi Developing fake news games, citizenship education, development of basic skills to complement the use of the internet, lobbying private companies who are into internet services to think on sustainable and better ways of curbing the menace, campaign against hate speeches and fake news, encouraging more researches in

the use of internet to curb the menace, establishing a relationship between social media platforms and the academic, mobilizing Civil Societies, involving an all-inclusive stakeholders forum for social media legislations can be made among others.

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