**ONLINE VIOLENCE AGAINST WOMEN; A REFLECTION OF THE OFFLINE PECULIARITY OF OUR SOCIETY AND THE ADVERSE EFFECT ON DIGITAL EQUALITY**

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The dynamics of the world have changed forever. This occurred when life moved online. This reality may not be a common experience for the entire world’s population due to the challenges of accessibility and affordability, but the fact is that every world citizen has a right to life online.[[1]](#footnote-1)

In this vein, every man or woman has the freedom to be online. No one must be deprived of the right to the internet, to live freely and to exercise all their rights online. This means that people online can confidently exercise their rights as provided for under Articles 17, 19 and 20 of the Universal Declaration of Human Rights (UDHR) and in Articles 19, 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR), that is, the rights to peacefully assemble online, to associate with others and to freely express themselves,  ***to seek, receive and impart information and ideas of all kinds either orally, in writing or in print, in the form of art, or through any other media of his choice or by holding opinions without interference.***

These rights are inalienable, and no one must be deprived of them except in exceptional circumstances where the considerations are national security, public morality, public order, public health, and public safety. However, these restrictions will only be valid where they meet the three cumulative thresholds- that they provided by law, pursue a legitimate aim/interest, and measures resorted to are proportionate and necessary in a democratic society.

To this end, the Human Rights Council of the UN General Assembly adopted a Resolution in July 2016 where it recognised the importance of the internet for rights such as freedom of expression, education and freedom of conscience, and called for ***a “human rights-based approach when providing and expanding access to the internet. It also recognized “the global and open nature of the Internet as a driving force in accelerating progress towards development in its various forms.”***[[2]](#footnote-2)

In case law, the ECOWAS Community Court of Justice held in a case I prosecuted, that the right to the internet is a derivate right, that is, a component of the exercise of the right to freedom of expression.[[3]](#footnote-3) This decision it reiterated in another case that I pursued before the Court in 2021.[[4]](#footnote-4) In 2020, the Supreme Court of Indian held that access to the internet is a fundamental right under Article 19 of the Indian Constitution [[5]](#footnote-5)

Although the right to be online has been analyzed and enunciated in international instruments, treaties, comments of the UN and other regional bodies, and the court, one reality is emerging from different online experiences. This is the increased use of digital media as a tool of repression, harassment, and violence against women, primarily politicians, celebrities, activists, and journalists.

Women, especially journalists, are exposed to specific forms of gender-based violence, including rape and sexual harassment, and other forms of intimidation, including threats. According to the International Women’s Media Foundation, nearly 2 out of 3 women journalists and media workers said they were threatened, or harassed online at least once, and of those, 40 percent said they avoided reporting certain stories as a result of online harassment.[[6]](#footnote-6)

It should be noted that all genders experience harassment online. However, women and gender minorities experience harassment of a sexual nature at higher rates[[7]](#footnote-7). Most threats and harassment against women spread sexualized hate. According to the Media Defence[[8]](#footnote-8),

*“*[***Research***](https://core.ac.uk/download/pdf/158299064.pdf)***has found that fake online accounts with feminine usernames incurred an average of 100 sexually explicit or threatening messages a day, while masculine names received only 3.7 messages.”***

Online repression, harassment, threats, and ridiculing of women through written messages, phone calls, and releasing of offensive pictures and videos over social media are known as cyberstalking or cyberharassment. These acts usually take different forms and are clear hindrances to women's full enjoyment of their rights online.

The Human Rights Council of the UN General Assembly recognised this huge dichotomy between women and men’s online presence in its July 2016 resolution[[9]](#footnote-9) and it expressed as follows:

“that many forms of digital divides remain between and within countries and between men and women, boys and girls, and recognizing the need to close them,

***Stressing*** the importance of empowering all women and girls by enhancing their access to information and communications technology, promoting digital literacy and the participation of women and girls in education and training on information and communications technology, and encouraging women and girls to embark on careers in the sciences and information and communications technology,…”

**The Forms of Online Gender Based Violence**

According to the Violence Against Persons Prohibition (VAPP) Act 2015, “violence means any act or attempted act, which causes or may cause any person physical, sexual, psychological, verbal, emotional or economic harm whether this occurs in private or public life, in peace time and in conflict situations.”

In Nigeria violence against women remain prevalent as a result of the discriminatory and cultural norms and practices women experience in Nigeria.

Online gender based violence (OGBV) takes different forms. These include:

1. Threats to life and physical assault: On 13th May 2022, a student of Shehu Shagari College of Education, Sokoto State in Nigeria was killed by a mob on school campus for alleged blasphemy against their Holy Prophet Muhammad (SAW) through a social media post. This post was published on the class Whatsapp Platform.[[10]](#footnote-10) Some women have reported that they had received threats to their lives and threat of physical assault for holding opinions over social media platforms. This seems to be on the rampage.

A blogger, Ms Abimbola Olajumoke Olawumi, on 5th December 2022, raised an alarm that her life was being threatened by the wife of the Governor of Ekiti State, Mrs. Bisi Fayemi, over her Facebook post, where she alleged that the Governor’s wife was arrested in Dubai in 2018 in connection with money laundering among other things. The blogger reported that she received several calls from strange numbers threatening her.[[11]](#footnote-11)

1. Repression and gagging of the right to impart information, that is, online censorship: A female journalist in Abuja (anonymous) informed me that she had received several WhatsApp threats, calls and messages over reports in an online news media. She stated that in her bid to trace one of the phone numbers through the Truecaller App, she saw that the name was stored as **Ritual Blood Drinkers.**

These threats were undoubtedly to cause her to be afraid and stop reporting news.

1. The Release of intimate videos:

One form that seems to get young and old men internet users riled up is the release of intimate videos. In fact, the perpetrators use this as a form of prowess, to show their sexual skills. For example, Oxlade a popular Nigerian singer released his sex tape on social media which caused mixed reactions that led the lady involved to be disowned by her parents.[[12]](#footnote-12) Although the lady involved got a favourable Judgement[[13]](#footnote-13), many cases have not been litigated, mainly due to avoiding stigmatization and shaming. Other cases are those of popular musician, Tiwa Savage[[14]](#footnote-14) and Empress Njamah[[15]](#footnote-15)

1. Throwing shades and spreading of negative narratives: In a bid to attract followers, content creators feed on offline biases and narratives and emphasize them through their handles. This often pulls a lot of crowd and followers and usually, a majority of men who desire boosting their egos and confirmation of their offline sexism and violence against women.

This involves the propagating of false narratives against women. These usually appear harmless and comic. They appear as quotes or standup comedy[[16]](#footnote-16) or relationship advice and they often emanate from male online users to disparage women. One example is the **‘56 funny facts about women’** published[[17]](#footnote-17) by Nairaland, a very popular internet forum where Nigerians meet to interact with each other to discuss different topics. These narratives promote harmful generalization that further deepens the already deep seated discrimination against women. There is also a popular handle on twitter, **@jon\_d\_doe,** who claims to be a relationship expert. This handle has a huge followership, mostly men, seeking marital advice. The sort of discriminatory contents from his tweets are worrisome and alarming as they tend to encourage emotional and psychological violence against women.

1. Intimidation and harassment: This is the most prevalent and widely reported form of OSGV. This targets vocal women over social media platforms. These women receive vicious online attacks when they are working to protect and advance human rights and women’s rights. The perpetrators identify the woman and continuously insult, allege falsehood or emphasize their misjudgments (if any). An example is a campaign to discredit a renowned rights activist Aisha Yesufu, whose voice was loud during the Endsars protest. Attackers called her names, petitioned for her arrest and even went as far as calling others to attack[[18]](#footnote-18) her. A video also made the rounds for her to be attacked by Northerners[[19]](#footnote-19), claiming that her stance against government showed she was a bad Muslim.

Another example is that of one Oyindamola Habibat Tinubu[[20]](#footnote-20), the daughter of the president elect. Following the 2023 Presidential elections, she was dragged over social media for her gay trans rights activism and alleged to be queer, flowing from her twitter posts defending gay rights. Posters and commenters justified their posts relying on an allegation that her father was sponsoring an anti-gay agenda against a political candidate in Nigeria. This was also coming after the 25th February 2023 elections, in which most Nigerians allege fraud leading to the emergence of her father as the declared winner. Netizens wrote that Oyinda enjoys liberty for her life’s choices in the United States while many Nigerians suffer discrimination from politicians, including her father, against homosexuals.

1. Threats of Political repression of expression: This usually involves state sponsorship of bots, anonymous and publicly identified individuals to harass women who have taken political positions. An example is a publication[[21]](#footnote-21) by Reno Omokri against the former Minister of Education, Oby Ezekwesili. He alleged several misdeeds and insulted her for her political decisions.
2. Suppression of information: women journalists are usually targets of this form. The UN reported[[22]](#footnote-22) that *“[o]ver the past 15 years there has been ‘a marked increase’ in cyber harassment, making the safety of women journalists a significant issue for reportage in today’s digital era.”* These women have reported that they have received different forms of violence in the line of their work, including threats of sexual assault and physical violence, abusive language, harassing private messages, threats to damage their professional or personal reputations, digital security attacks, misrepresentation via manipulated images and financial threats. This fact was also reported in a survey[[23]](#footnote-23) conducted by the UNESCO and the International Centre for Journalists (ICFJ), of women journalists worldwide on OSGV. 73% responded that they had experienced some form of online violence in the course of their work.

**The True Nature of Online Violence in the Digital Age**

Gender inequality is at the root of online violence against women. On the 6th of March 2023, the United Nations Secretary General António Guterres told the Commission on the Status of Women that “gender equality is “vanishing before our eyes,” He went further to state that gender equality is “300 years away”[[24]](#footnote-24) according to the latest estimates from the UN Women, the UN organization dedicated to gender equality and the empowerment of women.

Guterres highlighted that “Women’s rights are being abused, threatened and violated around the world,” he added, as he cited the numerous crises women and girls experience all over the world. This include, maternal mortality, girls ousted from school, caregivers denied work and children forced into early marriage.

These violations are not new to Nigeria. They are the realities that women and girls have been living with for decades, even before Sexual and Gender Based Violence (SGBV) was declared an emergency[[25]](#footnote-25) by the Governors of the 36 States of the federation as a result of the increase in SGBV reporting during the COVID 19 outbreak in 2020. In that same year, the UN Resident and Humanitarian Coordinator in Nigeria Edwin Kallon, stated that “three of every ten women have experienced physical, sexual, economic or psychosocial violence simply because of their gender, which is known as gender-based violence (GBV**).**”[[26]](#footnote-26)

The online violence against women we are witnessing is simply a reflection of our society. Nothing changed from the reality of 2020 when it seemed that there was an upsurge in the violence women and girls were experiencing in Nigeria. The only thing that has changed is the environment in which the violence is taking place, and not the people perpetrating the violence. The thing is, if we moved the people from earth to the moon, the issue of violence against women will not decline because the same set of humans who have inhabited earth were the same transferred to the moon. In order words, to combat online violence against women, we need to tackle the offline gender imbalance and inequality issues so that these will also reflect on our relationships online. Consequently, until we can close the gender gap, more women will continue to experience online violence.

There is also one reality that we must constantly bear in mind, generally women are underrepresented online as well as offline in most sectors of the society. For instance, in the just concluded National Assembly and Presidential elections in Nigeria, there was a further plunge in the representation of women in politics and government. This goes to show the ailing nature of the society itself. Interestingly, this is not peculiar to Nigeria. Just five months ago, it was reported that in Africa, *“only 34 per cent of women on average are using the internet compared to 45 percent of men.”* and “That gap is still less in the least developed countries compared to 130 that have any kind of internet access in rural areas. Rural women face even more barriers because ITU figures show only 15 percent of rural home dwellers are connected compared to 50 percent of the urban areas,”[[27]](#footnote-27)

This shows that our societies are not ready or willing to grant to embrace equity. The consequence of that is a perpetual gender gap for a very long time.

**Impact of OSGV**

1. Discourages women from participating in online spaces, including social media and other forums thereby increasing the digital gender gap: One major effect of OGBV is that it is likely to aggravate the digital divide and keep more women away from discovering and exploring the several digital tools and technologies that the digital age affords them. One simple example is a post from Oyindamola Habibat Tinubu[[28]](#footnote-28), who wrote on twitter: ***“Honestly, I have always hated this app. It used to make me feel like I was screaming into the void. Social media in general gives me anxiety and I don’t think I mesh well with it”***
2. Self-censorship: This has huge implications for women because it promotes the culture of silence. It leads to a situation where women cannot boldly express themselves and self-censor before expressing online. This is exactly what abusers want- to keep women silent while they continue to commit crimes. This was also reported by RSF to be a problem in 48% of cases[[29]](#footnote-29)of OSGV.

In this vein, where OSGV involves female journalists, it becomes a huge problem for the society as it is a direct attack on the freedom of information.

1. Mental health: OSGV is a direct cause of psychological, mental, or emotional stress. It is a direct assault to women’s mental and physical health. According to a Reporters Without Boarders (RSF) 2020 global report[[30]](#footnote-30), 79% of harassed women suffer from stress and 49% fear for their life. According to OSCE[[31]](#footnote-31) *“Online rape threats against women journalists violate a range of human rights, including psychological, physical and sexual integrity, the right to the highest attainable standard of physical and mental health, privacy and autonomy, the right to be free from violence, discrimination, torture and other cruel or inhuman treatment and the right to freedom of expression. Rape threats online result in, or are likely to result in, psychological harm that is manifested by depression, anxiety and fear…”*
2. Reputational Damage and Insecurity: OSGV leads to anxiety, paranoia and fear for one’s personal safety. It could also cause reputational damage and encourage the cancel culture against a victim.

**Recommendations and Conclusion**

* The Nigerian government needs to respect its obligations with regards to press freedom as provided for in the ECOWAS Revised Treaty, in Article 66 (2)(c) in relation to the rights of Journalists (Ratified by Nigeria on 2 June 1975). Government need to safeguarding the right of journalists to cover subjects related to women’s rights, and the right of women to be able to work as journalists in complete safety and in accordance with international standards. This should be extended to cover the rights to freedom of expression of women online.
* The government needs to promote an equitable environment for women in politics. The low representation of women is a perceived discrimination against women which also affects the society. Therefore Government needs to increase the participation of women in politics, by increasing the number of women in political appointments in the forthcoming administration.
* The National Assembly needs to pass the gender Bills that have pended before it in the ongoing constitutional amendment, by altering the provisions of the 1999 Constitution of the Federal Republic of Nigeria (as amended) to grant citizenship to foreign-born husbands of Nigerian women, to allocate 35 per cent of political positions based on appointment to women, to create special seats for women in National and State Assemblies.
* The National Assembly also needs to domesticate the UN Convention on Elimination of All Forms of Discrimination Against Women (CEDAW), which Nigeria ratified in 1985.
* Governments, both public and private institutions should develop specific laws and actions protecting women from gender-based harassment online, with the cooperation of digital platforms.
* There is an urgent need to intensify legal actions against offline perpetrators of violence against women and girls: governments must to take urgent action to enforce laws ensuring gender equality, specifically by increasing the conviction rate of sexual and gender-based offences, E.g. the Sokoto State unresolved murder. Therefore, government needs to ensure that the criminal justice system is equipped to handle and prosecute cases of sexist violence, both physical and online violence, especially against women; and ensure that cases of sexist violence and online harassment are systematically investigated and those responsible are prosecuted and convicted.
* Increased civic education campaign and advocacy from civil society organizations. They should promote thematic debates to discuss and clarify the OGBV problems in order to establish equity and gender equality Nigerian online space.
* Social media platforms need to develop public awareness and communication campaigns about online violence against women and provide an emergency alert mechanism in order to make it easier for the victims of online threats and attacks, especially women journalists, to report violence.

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